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The Social and Relational Meaning of Child Support

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The Social and Relational Meaning of Child Support

by

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Dedication

To my mom, Marianne Muller Cozzolino, whose example taught me the value of caring.

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Abstract

The Social and Relational Meaning of Child Support

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In this Thesis, I investigate the social meaning of child support payments for members of separated families. Drawing on 21 interviews with members of separated families, I explore how payments from one parent to another shape family relationships. I focus on three main topics: how child support payments are different from other forms of money in the ways that they are discussed, earmarked and spent; what child support payments reveal about cultural expectations of motherhood and fatherhood; and how respondents regard the fairness and efficacy of state child support policy. I argue that child support payments reinforce class and gender inequality. Child support reifies mothers' disproportionate responsibility for children and uneven child support enforcement further subjects the poor to the coercive power of the state.

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INTRODUCTION:

THE SOCIAL AND RELATIONAL MEANING OF CHILD SUPPORT

This project investigates the meanings of child support payments and the way that these payments shape post-divorce and post-separation families. Today about half of all U.S. children have spent at least some time living with only one parent (Lin & McLanahan 2007). Women's economic situation tends to decline following divorce (Holden & Smock 1991) and the dissolution of a cohabiting relationship (Avellar & Smock 2005), in part because women assume custody of children in more than 80% of cases (Grall 2011). Child support payments—transfers of wealth from the non-custodial parent (typically the father) to the custodial parent (typically the mother)—are mandated by the state with the intention of enforcing paternal private economic responsibility of children (among other state interests) (Josephson 1997). Child support payments are widespread; up to 30% of the adult population has either paid or received child support (Ellman, Braver & MacCoun 2009). These payments vary widely by state (Ellman, Braver, & MacCoun 2009) and are generally calculated based on marginal child-specific expenses, rather than general expenses that may become burdensome for newly single mothers, such as the cost of the necessary rent and utilities required to keep children housed (Ellman & Ellman 2008). Further, child support obligations are hard to enforce and payments decline over time, leaving many custodial parents without the money they are legally owed (Nepomnyaschy & Garfinkel 2010).

The United States lacks the state support for childrearing that many other Western countries provide their citizens, effectively privatizing the care of children (Fineman

2004). Under the traditional gender division of labor, women specialize in caregiving and men specialize in breadwinning. With the simultaneous widespread movement of women into the workforce and rising rates of single parenting, this gender division of labor has changed, leaving many women responsible for both the economic and care work support of children (Thistle 2006; Collins & Mayer 2010). Despite the discourse of “involved fathering,” for many fathers, participation in their children’s lives remains “an elective exercise rather than an expectation” (Wall & Arnold 2007:512). Although many divorced and separated fathers remain involved with their children both physically and financially, many others reduce contact with their children or do not pay their child support payments.

In this Chapter, I introduce the project. I begin by providing background information on the history of child support, the guidelines for how it is determined, and payment rates. Next, I situate this project theoretically. After, I go into detail about study design and methodology. Finally, I provide a roadmap for the layout of this Thesis.

Background on Child Support

The child support enforcement program was implemented in 1975 as part IV-D of the Social Security Act (Committee on Ways and Means 2008:2). This legislation was passed with the intention of reimbursing the state for welfare expenditures, “help[ing] non-AFDC families get support so they could stay off public assistance, and establish[ing] paternity for children born outside marriage so child support could be obtained for them” (Committee on Ways and Means 2008:2). Parents receiving public assistance automatically receive child support enforcement services. These services are

also available to non-welfare cases (though parents pursuing child support services who are not on welfare may have to pay a fee of up to \$25 for service) (Committee on Ways and Means 2008:3). The 1996 Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA), commonly referred to as welfare reform, created state-level child support enforcement agencies that were required to meet federal performance standards in order to receive funding (Committee on Ways and Means 2008:3).

Child support payments “legally obligate [on-custodial parents] to provide financial support for their children and stipulate the amount of the obligation” (Committee on Ways and Means 2008:19). In Texas, the state where this research was conducted, child support orders are determined as a percentage of the non-custodial parent’s net income. This percentage varies based on the number of children – a child support order for one child is 20% of an non-custodial parent’s net income, and the amount increases to 25% for two children, 30% for three children, 35% for four children, and 40% for four or more children (Texas Office of the Attorney General 2012b). Child support orders also include a provision for the non-custodial parent to cover health insurance for the children or contribute money towards medical support (Committee on Ways and Means 2008:29).

Child support payments that custodial parents receive are meant to help with the expenses of raising a child. However, the expenses of raising a child are not easy to distinguish from other expenses. Bassi and Barnow (1993:480) explain the tangled nature of family finances: “over 90 percent of family expenditures are made either on shared goods, such as housing, or privately consumed goods, such as food, that are not easily

attributed to a given family member.” In their evaluation of the adequacy of child support payments at meeting the expenses of raising a child, Bassi and Barnow (1993) utilize two estimators, one which tends to overestimate the cost of raising a child and one that tends to underestimate it, in order to get a likely upper and lower bound of expenses. Because expenditures vary based on income (i.e., more wealthy individuals spend a lower percentage of their income than less wealthy individuals), Bassi and Barnow (1993) provide different estimates of cost based on income level. For a two-child family, they estimate that low-income families spend 21-39% of their income on children, middle-income families spend 19-34% of their income on children, and high-income families spend 18-33% of their income on children (Bassi & Barnow 1993: 485). Evaluating state child support guidelines, they find that “the amount to be paid in child support is roughly consistent with the estimates of the expenditures on children [...but] tends to cluster closer to the lower bound of the range of estimates of expenditures on children than they do to the upper bound” (492-3). Texas’ child support order of 25% for two children clusters closer to the lower estimate of the cost of raising a child. Assuming that child support payments are paid monthly in full, this amount meets the minimum standard of how much it costs to raise a child.

Although the mean child support payment due is \$500 a month, the average amount of child support that is actually paid is only \$300 a month (Grall 2011:10). Looking at the median child support payments due and paid demonstrates that the distribution of payments is skewed—the median amount of child support due is \$370 a month, and the median amount actually paid is only \$147 a month (Grall 2011:10). Bassi

and Barnow (1993) estimate that a middle-income family will spend 19-34% of their income on two children. For custodians who received the full amount of child support they were owed, child support came to 21% of their annual income—an amount near the lower bound of the estimate, but still within the range (Grall 2011:10). However, only 41% of custodial parents receive the full amount of child support that they are owed (Grall 2011:1). For those that do not receive the full amount, child support only constitutes 9% of their annual income—well below the lower bound of Bassi and Barnow’s (1993) estimate of what it costs to raise a child (Grall 2011:11). Looking at the aggregate receipts of child support demonstrates that, for most custodial parents, child support payments really don’t amount to much, although there still may be individual non-custodial parents who supply high, regular child support payments.

In this Thesis, I investigate the meaning of child support payments for those who pay and receive them. Analyzing what these payments mean to those who are affected by them can contextualize these payment rates and illuminate why some non-custodial parents do not pay their assigned child support payments.

Theoretical Background

This project draws on the economic sociology approach of Viviana Zelizer (1993; 1994; 2011). Unlike the conventional thinking that posits money as “a unitary, fungible, absolutely impersonal instrument,” Zelizer (1994) argues that we “differentiat[e our] monies by the social relations in which they [are] involved” (p. 138;139). We distinguish different incomes for different uses—hence how I spend \$100 in wages will differ from how I spend that \$100 if it is a gift, or if it came as TANF funds from the government.

Child support payments are a unique type of payment in that they are paid from a nonresident parent to the parent who has assumed primary responsibility for the children. In the same way that a wife's "pin money" was earmarked for exceptional or "fun" expenses in the 1920s and 1930s, child support payments may also be earmarked for specific expenses (Zelizer 1994).

Money is embedded in relationships, but relationships are also permeated with economic exchanges. The discomfort that many feel about the idea of paying for sex (Satz 1995) or the commodification of affection between a child and her nanny (Wrigley 1995) reflect Zelizer's (2011) assertion that people are generally averse to the entanglement of money and personal relationships. Calling this belief the "hostile worlds view," Zelizer (2011) argues that this divide has always been false and incomplete. Personal relationships have always been cut through by economics, from arranged marriages to modern courtship rituals (Illouz 1997).

Families are not free of market interference. Lewin (2009:48) argues that parenthood is bound up with consumption, as "children are an acquisition without which full claims to family status are void." Disputing the commonly held notion that parental love "exist[s] apart from material considerations... unsullied by selfish desire, urges for financial benefits, or other marks of impure motivation," Lewin (2009:58) demonstrates in her study of gay fatherhood the deep connection between parenthood and consumption—"from the transformation of ultrasound pictures into family photos to the decoration of the baby's room and the plethora of objects alleged to be essential to an infant's development." Child support payments represent a legally mandated monetary

exchange between former romantic partners—what some may consider an intrusion of the market into the home. Yet, given the fact that personal relationships are never fully separate from economics, understanding the exchange of child support payments can thus illustrate the meanings and mechanisms through which personal relationships and economics intertwine.

Zelizer (2010:41) traces the evolution of the “economically ‘worthless’ but emotionally ‘priceless’ child.” During the nineteenth century and prior, children were economic assets to their parents whose labor contributed to the wellbeing of the family. The “sacralization of children’s lives” (Zelizer 2010: 41) occurred in the latter quarter of the nineteenth century with the emergence of children’s life insurance and child labor laws. With the increased sentimental value of children, their economic value declined: “Economically, a child today is worthless to his or her parents. He is also expensive” (Zelizer 2010:41). These changes coincided with the cult of domesticity among women in and above the middle class, resulting in labor advantages for adult men over both women and children. Men were “glad to entrust the rearing of the children to their wives; it would simultaneously spare them from that time-consuming task and eliminate much of women’s competition in the paid labor force” (Hays 1996:33). Hence, the sacralization of childhood is bound up with Hays’ (1996) conception of the ideal of intensive mothering.

The ideology of intensive mothering states that “appropriate child rearing [is] construed as *child-centered, expert-guided, emotionally absorbing, labor intensive, and financially expensive*” (Hays 1996:8, emphasis in original). Furthermore, mothers are considered much better suited to this mode of child rearing than fathers because of the

dominant belief in so-called maternal instincts: “Maternal love and affection are not only vital, they also come naturally” (Hays 1996:57). Given these assumed gender differences, it is no surprise that mothers more often than fathers assume child-rearing responsibilities. And, given the time and expense of intensive mothering—not to mention the cost of merely feeding and housing a child for eighteen years—it is no surprise that single mothers face economic hardship.

Given the gendered division of household labor before divorce, women’s unpaid labor subsidizes men’s workplace successes, but is not considered a contribution in divorce settlements—only wages are considered economic “inputs” (Schaeffer 1990). Nor is child support considered compensation for care—unless mothers use it to pay nannies or babysitters. According to Fineman (2004:191), the liberal feminist call for equal parenting has disadvantaged women in divorce settlements by “permit[ting fathers] under laxer standards to continue to devote primary attention to their careers and extra familial activities” while offering no such leeway to mothers. To fathers, courts are seen as biased because they more often award mothers custody. This disparity has provoked some men to become Father’s Rights advocates (Fineman 2004).

Mothers’ childrearing responsibilities also contribute to gender inequality in earnings, leaving many newly single mothers with lower wages than their former partners. Women’s caregiving responsibilities make it hard for them to act as “ideal workers” (Acker 1990) who are able to focus on work as their only priority. After divorce or separation, the ideal worker norm may be even further out of reach for custodial mothers due to the loss of whatever caregiving aid their former partners may have

contributed. Furthermore, mothers face an economic penalty compared to non-mothers due to the cultural incompatibility between the roles of ideal mother and ideal worker (Correll, Benard, & Paik 2007). This may be especially harmful to single mothers, who are primarily responsible for both caregiving and economic support.

England (2005) argues that single mothers are “prisoners of love” to their children—forced to do whatever it takes to meet their children’s needs. She offers this as an explanation of nonresident fathers’ failure to pay child support: fathers “know that they can count on the mother’s willingness to care for the child anyhow and share her money with the child—rather than abandoning the child” (England 2005:391). Since non-custodial fathers can reasonably expect their children to be cared for whether or not they pay child support, this may be a reason that many do not. England (2005:391) argues that this is because “mothers’ love and sense of obligation can be counted on even in the absence of pay.”

While motherhood is understood as “the defining attribute of womanhood,” fathers are still “conventionally imagined to be relatively marginal to the daily business of parenting, both in terms of their routine practices and their emotional investment in these practices” (Lewin 2009:28). Hence, mothers face moral criticism if they do not put their children first; “any behavior, however minor, that can be interpreted as placing some priority ahead of maternal duty can be cited as evidence of ‘bad’ motherhood” (Lewin 2009:131). In contrast, fathers “are most centrally charged with providing ongoing economic support” (Lewin 2009:133).

How do child support payments uphold gender inequality? One of the theoretical principles that underlies legal determination of child support payments is the “earner’s priority principle”—the idea that “everyone, including a non-custodial parent, ordinarily has the first claim to his own income” (Ellman & Ellman 2008:121). This principle, in conjunction with the privatization of responsibility for children (Fineman 2004), lays the burden of economic responsibility for children in divorced or separated families squarely on the shoulders of mothers.

This Thesis is an economic sociological study of the specific meanings of child support payments to those that pay and receive them. Understanding the meanings that members of separated families assign to child support payments can illuminate the reasons that some non-custodial parents pay but others do not. This analysis can also highlight our taken-for-granted assumptions about gender and class that shape the design and execution of child support policy. Feminists have long noted that gender inequality manifests itself even within the most personal of relationships. Divorce and separation are key sites where gender inequality manifests itself. Understanding how child support payments are experienced on the ground is relevant to economic sociologists, gender scholars, and family sociologists. Child support is a wide-reaching policy that touches the lives of large and increasing percentages of U.S. families. Thus, it is important to understand, evaluate, and improve child support policy.

Research Questions

In this Thesis, I address the following research questions:

- *How is child support different from other types of income, in terms of how it is discussed, earmarked, and spent?* (Chapter One)
- *How do child support payments shape notions of parenting in separated families? What do child support payments reveal about our cultural expectations of mothers and fathers?* (Chapter Two)
- *How do family members perceive the fairness and efficacy of state child support policy?* (Chapter Three)

Methodology and Epistemology

To explore these questions, I performed semi-structured in-depth interviews with separated parents and adult children from separated families. I am interested in the subjective meanings that each of these players imputes to child support payments—“what [my respondents] choose to tell me, what themes seem to preoccupy them, and the specific terminology they use” (Lewin 2009:37). Human beings construct meanings through narratives about their lives (Bruner 2004). In contrast to a positivist epistemology that assumes one real objective truth, I am interested in subjective truths of my respondents’ lived experiences. In-depth interviews are best suited to this project because they allow an encounter between researcher and respondent (Vila 2012) in which meaning is constructed as a “product of specific, individually-mediated circumstances” (Lewin 2009:39). Rather than forcing me to “explai[n] events that I...have not witnessed,” this method “focuses on the constructions narrators put on [their lived events], *in conversation with me*” (Lewin 2009:39, emphasis in original). Interviews allow my respondents to reveal their feelings, attitudes, and beliefs about what child

support payments should be, as well as to disclose stories about how they experienced child support payments. In-depth interviews are a method that allow me to hear respondents' feelings and ideas, focusing on "what [respondents] *say* and what that indicates about what they imagine and value, rather than what they *do*" (Lewin 2009:37, emphasis in original).

Rather than drawing a sample based on "*the distribution of a population across categories*, [I drew a sample that would allow me to] *analyze the categories involved*" (Luker 2008:48, emphasis in original). I sought to draw a sample that is "reasonable representative of the larger *phenomenon*" under investigation, namely how child support is experienced as a social currency and how this shapes relationships (Luker 2008:103, emphasis in original).

During the summer of 2013, I performed in-depth semi-structured interviews with 21 members of separated families. I used one of three slightly different interview guides, depending on whether the interviewee was a custodial parent, a non-custodial parent, or an adult child. (See Appendix A for interview guides). These interview guides allowed me to ensure that I covered all areas of interest, but interviews did not always follow the order of the interview guides. Rather, I let respondents discuss their experiences in any order that they wished, so that conversations flowed naturally and respondents could feel more comfortable sharing their experiences with me. The interviews focused on three major areas: background information on custody and child support arrangements in the respondent's family; the respondent's economic situation, including how child support was spent and discussed; and the respondent's feelings about child support payments.

Each interview ended by asking whether there was anything else that a respondent wanted to share about child support that was not covered earlier. Interviews lasted an average of 52 minutes.

My primary sources of data for this Thesis are the in-depth interviews described above. However, I supplement these interviews with two other sources of data, which I draw upon at several points in the text. I also conducted four sessions of field observation at a public IV-D child support court. Each session lasted approximately 90 minutes. In these sessions, I sat in the back of the courtroom and observed the cases going before the judge, taking field notes on what I witnessed. I draw upon these field notes in Chapter Three. In addition, I cite descriptive statistics from the Checking In with AOP Signers (CAS) survey. This is a representative survey of non-marital births in the state of Texas, conducted by Cynthia Osborne and the Child and Family Research Partnership at the LBJ School of Public Affairs (see Osborne et al., 2013, p. 207 for details of sample and methodology). I draw upon these descriptive statistics in Chapter One.

Site of Study

I drew a sample from three separate sites: the University of Texas (UT), Austin Community College Riverside Campus (ACC), and Craigslist. I recruited UT students through announcements in summer classes and Blackboard emails, and I recruited individuals associated with ACC through a personal contact who teaches there. I hit a roadblock for recruiting more custodial and non-custodial parents, so I managed to obtain a small grant to purchase gift card incentives (\$10 each at Target). I recruited the remaining respondents through a Craigslist ad in conjunction with the incentive (see

Appendix B.) In total, I interviewed 21 individuals: 8 non-custodial parents, 7 custodial parents, and 6 adult children with divorced or separated parents. (See Table 1 for sample characteristics).

Sample

While I had originally intended to restrict my sample to divorced parents only, further research into the demographics of who pays child support in the state of Texas revealed that this limitation would bias my sample and make it whiter and more affluent than the state's average payer or recipient of child support. By not limiting my sample to divorced parents, I was able to obtain greater racial and socioeconomic diversity. My sample is 29% Black, 38% White, 29% Latino/a, and 4% Asian/Pacific Islander. My sample is 62% female—I expected parity between the genders by interviewing similar numbers of non-custodial parents and custodial parents, because I assumed all non-custodial parents would be male and all custodial parents would be female. In fact, my sample contained two female non-custodial parents (although both had previously had custody of their children). I also have fewer male adult children respondents (2) than female adult children respondents (4). The average age of adult children is 20.5 years and the average age of parents is 42 years.

Six of the respondents in my sample had a Bachelor's degree, one had a high school diploma, two were working on their associate's, and the rest were either working on their Bachelor's or had an Associate's degree/Trade Certificate. Most (8) had income between \$30,000 and \$50,000 a year, although a significant number (7) had income below \$30,000, and some had incomes above \$50,000.

Data Analysis

Interviews were audio-recorded and transcribed. All identifying information was removed and respondents were given pseudonyms to ensure confidentiality. Using the qualitative data analysis program Atlas.ti, I first performed a round of open coding on the transcripts, creating codes on a line-by-line basis that provided shorthand of what was happening in the text. (e.g., “child support paid regularly”). Codes were grouped into code families for more effective analysis (e.g., “child support;” “expenses;” “visitation”). Coding was an iterative process, with transcripts being coded several times, so that codes that emerged later in the process of analysis could be applied evenly to all transcripts. I wrote memos and reflective notes throughout the process to note emergent themes and areas of interest.

Limitations

There are several limitations to my sample and project that must be noted. My sample is small, consisting of only 21 members of separated families. Although this sample allows me insight into the phenomenon of child support (Luker 2008), it is not representative of members of separated families in the state of Texas. Further, all of the adult children that I interviewed were currently enrolled in higher education, whether at the university or the community college level. Since the adult children of my custodial and non-custodial parent respondents did not complete a college degree, this may reflect a real difference between my adult children and parent interviewees.

Positionality

My embodiment as a researcher affected the interactions that I had with my respondents, as is the case in all face-to-face interaction. As a white female researcher in her early 20s, this embodiment was most noticeable for me when respondents gave me unsolicited advice about my personal life. In particular, white women custodial mothers warned me against making some of the same mistakes that they had made. For instance, Patti warned me to never file for taxes jointly with a spouse, and Doris told me to look for a husband who was going to be a good and reliable father. My race may have made respondents reluctant to address systems of racial disadvantage, as Joe was the only respondent to share an experience with racism. Finally, my embodiment made it easy to find rapport with the adult child respondents, many of whom were within only a few years of my age.

Thesis Outline

In Chapter One, I examine how the respondents I interviewed conceived of child support as a specific type of money. I examine rules and guidelines that custodial and non-custodial parents have about how child support should be spent. I also assess the way that respondents' financial constraints shape this. I argue that child support can be thought of as a type of "poor people's money" (Zelizer 1994), in two senses: one, because it often amounts to a payment of funds from one financially-strapped parent to the other; and two, because child support is subject to moral rules and guidelines about proper expenditure, similar to welfare. I introduce the trope of the "child support queen," a custodial mother who spends her child support payments on frivolous items for her own

personal consumption. I examine the functions that this trope serves for custodial and non-custodial parents, respectively.

In Chapter Two, I look at the messages that child support sends about motherhood and fatherhood. I extend my analysis of the child support queen to illustrate what this trope tells us about the equation of motherhood with self-sacrifice. This is in line with traditional definitions of motherhood. In contrast, the respondents I interviewed emphasized the role of the “new, involved” father (Marks & Palkovitz 2004) over the traditional equation of fatherhood with breadwinning. I argue that this reinscribes mothers’ disproportionate responsibility for children and actually reduces fathers’ obligations.

In Chapter Three, I assess respondents’ feelings about state child support policy. I find that custodial mothers agree with child support guidelines in theory, but find enforcement lacking in practice. Non-custodial fathers, on the other hand, feel that the entire system is biased against them as men. I examine these claims and argue that child support policy structures systems of gender and class inequality.

In the Conclusion, I summarize my findings and provide policy suggestions and directions for future research.

CHAPTER ONE:

CHILD SUPPORT AS POOR PEOPLE'S MONEY

What kind of money is child support, and how should it be spent? In this Chapter, I argue that child support is a form of “poor people’s money” (Zelizer 1994) akin to welfare payments. Child support is poor people’s money in two senses: one, because it is subject to debate over its “proper/moral” use; and two, because it often quite literally amounts to a transfer of funds from a financially strapped non-custodial parent to a financially-strapped custodial parent. Material hardship colors interviewees’ experiences of child support, regardless of whether they pay or receive it.

I begin by reviewing the literature on the background and the social meaning of child support. Next, I turn to the data to examine the way that class mediates experiences of child support. I begin by assessing reactions to the amount of child support ordered—whether respondents feel it is too much or too little. For some non-custodial parents, paying child support made it exceedingly difficult for them to meet their living expenses. These fathers who struggled also tended to have very unfavorable views of their former partners, suggesting that, under conditions of material hardship, child support payments can feel like a zero-sum game and fuel animosity between custodial and non-custodial parents. I next examine how custodial moms report spending their child support payments. Under conditions of material hardship, child support becomes a critical form of income to be used on living expenses. Although these mothers may hope to put this money away towards child-specific expenses or savings (e.g., for education), custodians with tight budgets feel that this is not possible. Finally, I introduce the trope of the child

support queen, a mother who wastes her child support payments on purchasing goods for her own consumption that do not benefit her child. This trope functions as a foil against which custodial parents can justify their own child support expenditures, but it also provides the fodder for non-custodial parents to surveil, assess, and attempt to control the way that child support is spent.

Literature Review

A parent's relationship to child support payments varies with class. Mincy and Sorenson (1998) divide non-custodial parents into two categories: non-custodial parents who have the capacity to pay child support but do not and non-custodial parents whose financial situation is so dire that they cannot pay child support without impoverishing themselves. They estimate that up to 41% of nonpaying custodial parents fall into the first category and 33% fall into the second (Mincy & Sorenson 1998:47). Evaluating the financial prospects of non-custodial parents recognizes the macroeconomic forces that shape their earnings capacities and ability to garner a large enough wage to cover both their own expenses and their child support payments.

One state interest in child support enforcement is the privatization of economic responsibility for children. Economic support of children is the responsibility of the children's parents, not the community or the state. Child support payments are transfers of income from one of the child's parents to the other. The usefulness of child support transfers in alleviating poverty is thus limited by the earnings potential of the non-custodial parent. In cases where the non-custodial parent makes a high wage and the custodial parent does not, child support payments can help equalize the standard of living

between the two households. However, if the non-custodial parent has low earnings, child support becomes a transfer from one poor parent to another. Redistributing small amounts of money from poor non-custodial parents to poor custodial parents does little to reduce child poverty or improve child wellbeing (Josephson 1997; Collins & Mayer 2010).

Regardless of whether or not they alleviate poverty, child support payments meet a non-custodial parent's legal obligation to his or her child. The question of whether or not these payments are sufficient to actually cover the *cost* of raising a child is a controversial one, necessitating judgments about how exactly to determine these expenses. Ellman, Braver, and MacCoun (2009:76) explain the political nature of this determination:

Tabulating how much parents spend on their children requires deciding what to count as an expenditure on the child. For example, if one counts any expenditure that confers benefit on the child, one arrives at a different number than if one counts only the marginal expenditures made necessary by the child's presence.

This question of which expenses are appropriate for child support spending is at the heart of the disagreement between my respondents over the appropriate uses of child support. In particular, this can help us understand the dispute over whether household expenses count as appropriate uses of child support payments.

Some researchers have examined the meanings of child support payments. In a study investigating whether mothers and fathers differ in their views of what constitutes an “appropriate” expenditure for child support, Hewitt and Natalier (2010) interview 26 nonresident fathers and 31 custodial mothers in Australia. They find that perceptions of what child support should be spent on differ by income level—for high-income women,

child support payments are earmarked specifically for direct use on the children—for school uniforms, for example. For low-income women, child support payments are less specifically earmarked for use on children—instead, these payments regularly go towards the types of expenses necessary for maintaining the household, such as rent and other bills. They report that fathers balk at this, preferring their child support payments to be spent only on child-specific expenses.

In a separate study that sought to understand why some fathers resist paying child support, Natalier and Hewitt (2010) conducted in-depth interviews with 26 nonresident fathers. They found that many estranged fathers perceive their child support payments as voluntary gifts to their children rather than as state-mandated entitlements. Because they perceive their payments as a gift, these fathers expect recognition and gratitude when they pay child support. With advances in child support collection in Australia, including automated payroll deduction, fathers are forced away from their gift view and towards the view of child support as a legal entitlement that their ex-wives typically hold. The fathers experience this as a loss of control and often feel mistrust about the way their wives are handling the funds. Their perception of child support as a gift and the lack of trust between parents can explain why some fathers do not pay.

I now turn to the data to examine respondents' views of how child support payments should be spent, and the way that their relation to material hardship shapes this. I begin by evaluating child support as an income transfer across households. Next, I look at the question of whether household expenses are seen as appropriate uses for child

support. Finally, I examine the trope of the child support queen and the different functions it serves for custodial and non-custodial parents.

Findings

CHILD SUPPORT AS INCOME TRANSFERS

For all but the most affluent families, the material constraints of family budgets can make child support payments from one household to another a point of contention. Respondents discuss the amount of child support paid, and whether they felt that this amount was too much or too little. Not surprisingly, custodial parents tasked with meeting children's everyday needs more often emphasized child support payments being unable to cover anything but an extremely small portion of their children's expenses. Miranda, a 30-year-old Latina never-married mother, compares her monthly child support income to the cost of taking her children to the dentist:

I don't remember in what situation my son brought it up, [but] he was just kind of defending his dad because [his dad] pays child support. So I just kind of brought it up to [my son]. I was like, "Well, I get \$200 a month for child support and we just recently went to the dentist for you and that was \$400 all by itself." So it takes a little bit more than that to raise a child, and here I have two.

Miranda uses the example of a recent trip to the dentist to illustrate to her son how expensive it is for her to take care of him, and how little a contribution his dad's child support makes to the household budget. She reports that her children's dad tells them about the child support he pays on their behalf and this makes the children think that, since he pays child support, "he shouldn't have to pay for anything else." Miranda finds this frustrating, given how much money it costs for her to take care of the kids and how little, comparatively, their father's child support payments contribute.

Those who pay child support, on the other hand, tend to think that the child support orders they are assigned to pay are too high. Rich, a 41-year-old divorced Black father, wonders how the dollar amount he pays in child support compares to how much it costs other families to raise a child:

So how come if we were married it wouldn't have cost [my daughter] \$12,000 to live, but since we're divorced it costs her \$12,000 to live? You see what I mean?.... It's expensive to raise a child, well, my brother has three kids, how would he make it if each child cost him \$17,000 [the \$12,000 that Rich pays in child support each year plus his daughter's private school tuition of \$5,000]? He wouldn't make it. So [this amount is] not logical, it's not realistic.

Rich considers the amount of child support that he is ordered to pay to be too high. Here, he is conceptualizing the cost of raising children to be uniform across different households. By this logic, if it actually costs \$17,000 a year to raise a child, then it would be impossible for his brother to be raising three of them. Therefore, he thinks that this amount must be wrong.

Child support payments often made up a significant portion of non-custodial parents' expenses, especially for those with tight financial situations. Some non-custodial parents reported that their child support payments were so high that it made it almost impossible for them to live on the money that remained. Joe, a 54-year-old Black divorced father, explains how he had to go without basic amenities for a while because of his child support payments:

My child support had gotten so high that I was in the military and I couldn't even afford to live. I was actually living in an apartment, \$199 was the rent. I was making \$200. After all my stuff went out, I was getting \$200. And that had to pay my rent, that had to pay my water, my electricity, my phone, and had paid for gas... and my rent was \$199 (laughs). My daughters don't even know, when they used to come to visit me they didn't even know that I didn't have electricity. 'Cause I'd make sure we'd be at home in the daytime, and then in the nighttime

we'd go visit a friend. And then we'd go back to the house when it's time to go to sleep, we don't need no lights, just go to bed. So they didn't even know I didn't have running water (laughs) electricity, nothing, and I never told them, 'cause I didn't want them to feel pity on me.

Joe reports being unable to afford to keep the lights on in the apartment that he lived in by himself following his divorce, because his child support payments took up so much of his income. He tried to hide this fact from his daughters when they came to visit him because he wanted to present himself to them in a dignified way. Joe also has a very acrimonious relationship with his ex-wife and distrusts the way that she spends child support. It seems likely that his experience of material hardship after paying child support made his relationship with her appear a zero-sum game, as they had to compete for the finite resource of his paycheck.

Leland, a 39-year-old white divorced father, explains how he has had to apply for food stamps in order to make ends meet since his child support order began last year:

It's difficult at times for me to be able to come up with the money, but it's better than \$1100 [his original child support order], I mean that was outrageous. I couldn't come up with \$1100. \$650 is still a little bit tough because of my cost of living with rent. I was able to get food stamps, that's been able to help reduce my cost \$200 a month ...but it's still a burden.

Like Joe, Leland faced financial hardship after his divorce, which he attributes to his child support payments. He also has a contentious relationship with his ex-wife and mistrusts the way she spends his child support payments. When a non-custodial parent feels the financial sacrifice of child support so starkly, this can increase his tendency to scrutinize the way that these payments are being spent.

Women who are non-custodial parents also struggle to pay their child support. April, a 52-year-old white divorced non-custodial mother, struggles to make her child

support payments on her low-wage job:

I'm gonna go to jail if I can't pay this child support. I don't know what to do, so it's just been very stressful (chokes up). When I went to court I was like, "\$450? Listen people, I make 8.50, 9 bucks an hour, do you honestly think I can carry a \$450 a month child support?" That was just a hate crime. And then when I went in they adjusted it to \$250.

April feels that the child support payment she was originally ordered to pay was completely unfair, given her low earnings. Indeed, when I interviewed her, April reported that she mostly sold plasma to make her child support payments because medical complications make it hard for her to hold a job. April, too, has a great deal of anger towards her ex-husband. Her indignation is compounded by the fact that he makes a great deal more money than she does. April feels that her ex-husband doesn't "need" her child support money as much as she needs it to support herself. For former couples with heavy financial constraints, child support payments can amount to a competition for scarce resources that can create distrust and acrimony between parents.

Not all respondents felt so strongly about the amount of child support they paid, however. Both Earl, a 32-year-old Black divorced father, and Antoine, a 35-year-old Black divorced father, told me that they don't mind paying child support. Also, both are remarried to women with children from previous relationships, but their new wives have each only irregularly received child support from their exes. Since both currently live in households with children, both Earl and Antoine may be more aware of the day-to-day costs of raising children and are thus more amenable to paying child support. Because they live in households that receive child support, they are aware of how inconsistent payments can be detrimental to the financial wellbeing of the household. This, too, might

make them more open to paying their own child support.

CHILD SUPPORT FOR HOUSEHOLD EXPENSES

Some of the most frequently cited expenses on which respondents report spending child support are the marginal basic needs of children: food, school expenses, and clothes (12 respondents mention these). Since these expenses are used more or less exclusively on children, the use of child support money on these items is not very controversial. The use of child support funds on broader household expenses (rent, bills, transportation) was a more contested question among my respondents (see also Hewitt and Natalier 2010).

Krista, a 23-year-old white daughter of never-married parents, sums up the central dilemma:

[My mom] claimed that she used [the child support] all directly for the rent ‘cause that’s exactly what [the rent cost]. [This was] a problem for [me and my sister]. So our dad’s paying the whole child support just on rent. He’s paying the rent, but three other people are living here. (laughs) It’s kind of crazy.

Krista believes that her mom’s decision to use her child support payments on the rent is problematic. In Krista’s view, her father’s child support money should be going to support only his children. Krista objects to this arrangement because Krista’s mother and another of Krista’s half-siblings (not related to Krista’s dad) are living in an apartment with rent paid by Krista’s dad. In her view, Krista’s mom and half-sibling are “free riding” off of her dad’s child support payments. Yet, Krista describes her mother as struggling economically to support the members of her household. Because of her mother’s tight financial situation, spending child support money on the rent may have made financial sense for Krista’s mother, even though Krista finds this problematic.

Respondents differ on the degree to which they believe household expenses to be legitimate for child support expenditures. Some aspire to use their child support payments on solely marginal child-specific expenses but are unable to because they do not make enough money to cover these costs. Maya, a 40-year-old never-married Black mother describes her difficulty in earmarking child support since she lost her job:

Well what I'd like to try to spend child support on is strictly for things that my children need. More specifically, I would like put it in a bank account for them for their future, for their education. That's what I would like to do, and if I were working regularly then I would be able to do that. Since I'm not, then I have to depend on that child support to pay my expenses. My rent, my utility bill, gas to go in the car, I mean, regular living expenses, that's just what it goes on because that's my only income. So I don't have a choice but to use it for my monthly expenses.

Maya reported that she is currently unable to work because of a health condition, so the child support payments she receives from one of her former partners make up a large portion of her income. She is financially dependent on this income to meet the living expenses of herself and her children. She aspires to earmark her child support payments, but feels unable to under her current financial constraints.

Corrine, a 34-year-old white separated (divorce pending) mother, also has difficulty putting her child support payments aside, although she wishes that she could. Corrine says that she "had all these plans that [she] was going to save so much every month for college" but has so far been unable to, instead spending the child support payments she receives on regular living expenses such as rent.

Other custodial parents are less concerned about differentiating their child support payments from their other sources of income. Julie, a 42-year-old white divorced mother, doesn't earmark the child support she receives:

BC: So when you get the child support money, what kind of expenses does that go towards?

Julie: (laughs) Well, it doesn't go very far (laughs) so I mean, it just goes into my general bank account. I was just figuring it up the other day – my house payments are \$1500 a month... groceries, \$500 a month, car insurance, cell phones, and then just, I mean, the expenses of what [my kids] need for school. It definitely all goes (laughs) to benefit my kids.

BC: But it's not in its own fund or anything?

Julie: No, it's not like it's in its own account but their fees for athletics and things like that, my daughter did an all-star kick ball thing this summer, and it was like \$250. Write a check (laughs).

Whether she is spending child support money or other forms of income, Julie believes that most of her spending is for the benefit of her children. Rather than earmarking child support as a certain type of money to be spent on particular expenses, Julie treats child support funds no differently from her own wages. Compared to many of the other custodial mothers I interviewed, Julie was relatively well off, reporting that she makes between \$50,000 and \$75,000 a year. In our interview, Julie pointed to her ex-husband's financial irresponsibility as the reason for their divorce. Her depiction of her ex-husband's financial irresponsibility and Julie's own financial prudence, in contrast, paints her as inherently responsible. She doesn't feel that she has to justify not earmarking her child support payments.

According to Bassi and Barnow (1993: 482), "the vast majority of a family's expenditures cannot be attributed directly to any one of the family members." Indeed, it can be hard to disentangle exactly who benefits from each household expenditure. Maya explains the way her living expenses are tied to her sons' wellbeing:

Child support money I'm given definitely doesn't go on me specifically ... but it does go on household expenses because the kids need to have a roof over their heads so I pay rent. They've got to have lights and utilities and things like that, so it really is going towards them, because it's going towards those things, living

expenses, and clothes.

Here, Maya justifies the way that child support expenditures that she also benefits from are crucial for the wellbeing of her children. Because she is in a tight financial situation, she cannot put her child support in a college fund like she wants to, because this would mean compromising the material comfort and needs of her children and herself.

The blurred boundary between a custodial parent's living expenses and those of her children was at times unacceptable to non-custodial parents. Joe has a problem with his ex-wife using her child support this way:

So this whole time they've been growing up ... [the children are] not understanding that the child support is for y'all. I ain't paying your mom. And the mom says, "Well, I look at it as, as long as I'm keeping a roof over their head, food on the table, then that's what the child support is for." So she'd go out and get a new car and say, "Oops! I had to get a new car 'cause I had to get 'em back and forth to school." What they got school buses for? (laughs) So some of the excuses and reasons that people use were unjustified.

Joe believes that his ex-wife is taking advantage of the blurred line between her own living expenses and those of the children so that she can spend child support in ways that Joe sees as unnecessary. His narrow definition of his children's living expenses as separate from his ex-wife's living expenses allows no possibility for the fact that a new car for his ex-wife could benefit his children. If the car is not being used explicitly to bring children to school (something Joe thinks unnecessary because of school buses), then the purchase of a new car with child support funds exemplifies how his ex-wife is taking advantage of him.

Rich was similarly dissatisfied with his ex-wife using child support payments on rent. Rich had requested that his ex-wife provide him a list of expenditures so that he

could see where his child support was going. When I asked Rich what this list included, he declared that rent was not an acceptable expenditure for child support.

BC: Do you remember there being stuff for like food for a month, house payment, stuff like that?

Rich: No, well that's what I mean, she tried to include that, "Well, the house is supporting [his daughter]" – no, because you have to live in the house, see what I mean?

According to Rich, because his ex-wife is living in the house too, this makes rent an improper expenditure of child support. Because she would have had to pay rent anyway, even if she did not have custody of their daughter, Rich sees his ex-wife as misusing child support payments when she spends these on rent.

Not all non-custodial parents had particularly strong feelings about the way that the child support they paid was spent, however. In fact, a third of respondents (7 of 21) reported that the payer of child support had no interest in how the money was spent. Earl doesn't worry about how child support is spent as long as his children are taken care of:

I don't think she uses it all for my daughter to be honest, but I mean ... how I view it is I send it, and as long as I know my daughter is fed and clothed - she's good, I know she's not living in a rundown hotel or motel, they have their own house, pretty good school district. I'm sure the whole \$500 isn't going just to her, probably rent or utilities, but overall it's still for my daughter I don't have a problem with it.

Unlike Joe and Rich, Earl is not upset by the possibility that some of his child support is being spent on household expenses. This may have to do with the fact that he is remarried into a household with children that receives child support from his wife's former partner. Earl and his wife may have used the child support payments that she receives on the rent at some point. If so, this can explain his acceptance of the idea of his ex-wife spending his child support on the rent. The prevalence of multi-partner fertility and step-families

complicates the transfer of child support payments between different families. This reveals the construction of child support payments based on the nuclear family model is too simplistic to account for the complexity of contemporary family structures.

Several descriptive statistics can give context to this debate over spending child support funds on household expenses.¹ According to a representative sample of nonmarital births in Texas,² less than half of those who receive child support (42%) report spending their child support payments on household expenses (defined as “rent, utilities, home maintenance”). These data further indicate that household expenses are not considered acceptable child support expenditures for many custodial parents. Like Joe and Rich, these mothers may have a stricter definition of what “counts” as expenditures on children. In the same survey, 73% of mothers reported that it was true that “Mothers who receive child support should only spend this money on items for their children.” Given their reluctance to spend child support on household expenses, these data suggest that many mothers define “items for their children” so narrowly as to not include household expenses.

WASTEFUL SPENDING

Regardless of how child support was actually spent, there was a widespread belief among my respondents in the existence of “child support queens.” My respondents did not use this term; rather, I create this term to analyze a “controlling image” about child

¹ These data come from the Checking In with AOP Signers (CAS) survey. I am indebted to Cynthia Osborne and the Child and Family Research Partnership for granting me access to these data.

² See Osborne et al., 2013, p. 207 for a detailed description of sample and methodology.

support spending (Collins 2000). Child support queens are custodial parents who spend their child support selfishly and wastefully—usually on self-grooming or recreation. For example, respondents report custodial mothers spending this money on getting their hair or nails done, shopping, or partying and drinking. More than half of my respondents (11 out of 21) make reference to child support queens.

Descriptive statistics from the CAS survey can shed more light on the prevalence of this trope. Moms receiving child support were asked whether the following statement was true or false: “A lot of mothers who receive child support payments spend the money on themselves.” More than half of respondents (52%) agreed with this statement. More tellingly, only 18% of respondents said this statement was false. (The remaining 30% were unsure). Mothers were also asked whether they themselves spend their child support payments on “your personal needs: clothing, shoes, entertainment, hair care.” These expenditures are in line with those of the child support queen. In contrast to the more than 50% of mothers who believe that “most” women are child support queens, only 21% of women reported spending their child support payments this way. A large majority (79%) reported that they did not spend their child support on personal consumption. This disjuncture between the proportion of mothers who believe that other women are child support queens and those that admit to spending their own child support payments in this way demonstrates the power of this trope.

For the custodial parents I interviewed, referencing the child support queen was used to validate their own spending choices. Maya explicitly contrasts her spending behavior with that of the child support queen:

I know that my youngest son's dad, I remember awhile back he and one of his friends, who also pays child support, were talking about that. How the mothers, some of the mothers, they use that money to do things for themselves get their hair done, go shopping and all that stuff. I don't get my hair done, I rarely shop, and when I do I shop at the thrift store, trying to get the best deal possible, or go to clothes closets or something like that. I can't tell you the last time I had a pedicure done.

Maya contrasts her own spending choices to those of the child support queen. Rather than wasting her child support on haircuts and pedicures, Maya spends her child support payments on her children's living expenses. Distancing herself from the child support queen validates Maya's expenditure of child support on her family's living expenses.

The trope of the child support queen functioned differently for dads, feeding into their desire for "accountability" over how child support is spent. Joe expresses his frustration at being unable to control the way that his ex-wife spends the child support payments that he sends her:

Another thing that I didn't like about child support was that there's no accountability. You're forking out all this money, [but] my children were still coming down to visit me in hand-me-downs. I'm wondering, all this money that I'm giving, why aren't y'all in better looking clothes? ... [And when you tell the family court judge,] "Well, I would like to see some receipts where [she] bought [them] some clothes," and the courts will tell you that's not your *place*. Your place is to make sure you pay your child support. And you're like, I'm trying to get some accountability here, something to show me that my child support is being spent on my children (laughs), that I'm *paying* for. They just say, "Don't you worry about that, you worry about making sure you make your payments."

Joe's belief that his ex-wife is a child support queen makes him very distrustful of the way that she spends the child support he gives her. He feels completely powerless over the way that she spends the money, and is frustrated with a court system that won't assist him with his monitoring of his ex-wife's spending habits.

As mentioned above, Rich went so far as to request a list of his ex-wife's child

support expenditures so that he might better monitor the way that she is spending them. This is connected to his knowledge of the child support queen trope, as he describes seeing in movies, where “you’re paying the child support and the mother has new hair and new nails.” Though he goes on to say that he doesn’t suspect his ex-wife of being a child support queen, the existence of this trope still helps to justify his request for more information about how she spends his child support payments.

Discussion

Child support payments are a transfer of income from the non-custodial parent to the custodial parent. The financial situation of each—and how these financial situations compare—can lead to contention about payments. Custodial parents who are tasked with meeting everyday needs and expenses of children believe that child support payments amount to only a drop in the ocean compared to what it costs to raise a child. Non-custodial parents, in contrast—particularly those with tight budgets—can viscerally feel the hit that child support payments take out of their paychecks. Child support payments promote the individual economic responsibility of parents for their children, so the full cost of childrearing is borne by one or both parents (Josephson 1997). This can amount to competition between households over the finite earnings of the non-custodial parent. This is one sense in which child support can be poor people’s money—it is the transfer of income from one financially strapped household to another. This can lead to acrimony between parents and scrutiny over how child support is spent.

Material hardship dictates the way that child support payments are spent as well. Some mothers spoke of their intention to put child support payments aside and use them

for their children's future, or to use them on child-specific expenses, but their financial situations made it impossible. For custodians with limited income, like Maya, child support became critical for making their rent payments each month. In justifying the expenditure of child support on household expenses, custodial parents emphasized that paying for household expenses benefitted their children. This is easiest to imagine if we consider its absence—children's wellbeing would clearly decline without a roof to shield their heads or electricity to heat their home.

Non-custodial parents often considered household expenses inappropriate expenditures for child support. They tended to have a stricter definition of spending “on the children” that did not include spending that also benefitted the children's mother.

The trope of the child support queen functioned differently for custodial parents than it did for non-custodial parents. For custodial parents, comparing themselves to the child support queen provided a justification for their spending choices. As long as they did not spend child support payments on items for their own personal consumption (e.g., shoes, pedicures), then their child support expenditures were “moral,” and in line with their roles as good mothers providing for their children.³ Their belief in the existence of child support queens “out there” bolstered their own spending choices. For non-custodial parents, in contrast, the trope of the child support queen provided justification for their desire to monitor the way that their former partners were spending the child support money. If there are child support queens out there, then it is the non-custodial parent's duty to make sure that his former partner is not one of them, and this demands

³ For more on motherhood and the child support queen trope, see Chapter Two.

surveillance of their spending habits.

This non-custodial perspective on child support queens illustrates the way that child support payment function as poor people's money. Describing poor relief programs administered in the nineteenth century, Zelizer (1994) explains the view that, "in the hands of the morally incompetent poor...money could turn into a dangerous form of relief, easily squandered for immoral purposes" (p. 121). For this reason, "charity officials would guide their expenditures, or, better still, decide themselves what the poor needed" (Zelizer 1994:131). Sometimes supervising authorities created household budgets for their charges, in an effort to "step into the domestic economy of poor families" (Zelizer 1994:166).

Surveillance of a custodial parent's spending is an attempt to exercise control. When a couple with children splits, the father can experience this as a loss of "authority in determining how money is used within the residential mother's household" (Natalier and Hewitt 2010:497). This loss of control can be distressing for fathers (Umberson & Williams 1993). Monitoring custodial parents' expenditures of child support is an attempt to reclaim this power. Like the supervising authorities at the turn of the century, some non-custodial parents wish they had the power to monitor their former partners in this way to ensure that the child support money is being spent in a manner they deem appropriate. Rich even requested an account of all of his ex-wife's child support expenditures, judging some of these (like rent) improper. Like the concern over welfare fraud promoted by the image of the welfare queen, participants see child support fraud as widespread.

Kohler-Hausmann (2007:335) deconstructs the meaning of the term “welfare queen”:

Surrounded by extravagant luxuries and services, queens are assumed to perform neither caregiving work nor waged labor. Linking these images to welfare recipients discredit[s] poor women’s voices and insinuate[s] that their claims of material hardship [a]re disingenuous and malicious.

The existence of the trope of the child support queen elicits associations of wastefulness and undeserving-ness, similar to those associated with the welfare queen. This is because child support payments are seen by those who pay them as “unearned” handouts to untrustworthy financial stewards. They are not wages, because the social reproductive labor performed by custodial parents is not recognized as labor deserving of compensation. They are not gifts, because they are not given freely, but are often given begrudgingly from one parent to the other. In child support payments, non-custodial parents play the role of the state, providing the money and seeking control over how recipients spend it.

In contrast to these images of wasteful female spending, social science evidence indicates that women are “more family-focused on spending than men; they are more willing to make sacrifices when money is short, they claim less for their own personal spending, and they devote a higher proportion of their earnings to spend on children” than men do (Pahl 1995:375). Furthermore, since women’s income tends to decline following divorce or separation (Holden & Smock 1991; Avellar & Smock 2005), the conditions of material hardship are likely. The child support queen (like the welfare queen) can help illuminate our cultural imagery of motherhood—because motherhood is defined as sacrifice and selflessness, any assertion of selfishness on the part of a mother

is more troubling and egregious than the same actions taken by anyone who is not a mother. I explore these themes of what makes a good and a bad parent more in Chapter Two.

CHAPTER TWO:

DEADBEAT DADS, DISAPPOINTING DADS, AND CHILD SUPPORT QUEENS

In this Chapter, I examine the way that child support payments shape family members' perceptions of themselves and their former partners as good or bad parents. In separated families where mothers have custody of children, mothers must take on both caregiving and the bulk of the breadwinning. Despite this change in the material basis of responsibility for children, traditional conceptions of motherhood continue to shape respondents' ideas of good mothering. In contrast, respondents have embraced the discourse of "new," involved fathering (Marks & Palkovitz 2004) over the traditional equation of fatherhood with breadwinning. The concern over "deadbeat dads" (dads who fail to provide economic support) has been replaced with a concern over "disappointing dads" (dads who fail to provide time and emotional support). Mothers and adult children emphasize the importance of fathers' contributions of love over their monetary contributions. This emphasis reaffirms the belief that the family is an affective sphere that is protected from the interference of the market, allowing mothers to distance themselves from the materialism inherent in the trope of the "child support queen" (a woman who spends child support payments on consumer goods for herself rather than to support her children). Yet, this emphasis also decreases fathers' financial responsibility to their children, placing both the burden of care and that of breadwinning squarely on mothers' shoulders.

I first provide a brief literature review on ideals and standards for fatherhood and motherhood. Next, I place my respondents' narratives in these larger contexts. I

document mothers' and adult children's emphasis on the importance of fathers' love over their financial contributions. Stories of dads disappointing their children are reported as the most hurtful and memorable offences, even for dads who also abdicate their financial responsibilities. I then move to ideals of motherhood. The equation of motherhood with self-sacrifice is a common theme. The worst offences of mothers involve selfishness, especially the selfish spending of child support queens. Separation reduces fathers' obligations to their children, as they are no longer responsible for being the breadwinner or the caregiver. Instead of being financially responsible for their children's expenses, non-custodial parents are responsible only for contributing a portion of their income, which covers a fraction of their children's expenses. Instead of providing day-to-day care, non-custodial parents "visit" with their children. I now turn to the literature on fatherhood and motherhood.

Literature Review

FATHERHOOD

Marks and Palkovitz (2004:114) construct a Weberian ideal-typology of "good" and "bad" fatherhood. The first version of "good" fatherhood that they mention is the "new, involved father." Although Marks and Palkovitz (2004:115) argue that this type of fatherhood is not actually new, they describe involved fathers as participating in the daily caretaking of children (though to a lesser extent than mothers.) The second type of good fatherhood that they describe is the "good provider father"—the most prevalent form of fatherhood in the early to mid twentieth century and the basis for child support policy (p. 115). They remark that, in most fatherhood research, "providing is frequently taken for

granted” (p. 115). The emerging standard of the involved father makes it so that providing is a necessary, but not sufficient, component of good fatherhood. Indeed, Marks and Palkovitz’s (2004) “bad” father is the stereotypical “deadbeat dad”—defined as a “lazy, irresponsible father who could but would not pay [his] child support” (Papke 2004:21). Because fatherhood has been popularly considered as synonymous with breadwinning, “failure as a breadwinner has always been a significant feature of the bad dad” (Pleck and Pleck 1997:48, quoted in Marks and Palkovitz 2004, p. 116).

By this definition, are all poor dads necessarily bad dads? Several prominent studies of low-income fathers can help illuminate what fatherhood means to dads who lack the means to financially support their families. Low-income fathers who cannot reasonably access the breadwinner ideal often seek to “redefine fatherhood” (Waller 2002), deemphasizing the role of breadwinning and emphasizing caregiving (Hamer 2001; Edin and Nelson 2013).

In her study of what fatherhood means to Black men who live away from their children, Hamer (2001) finds that these fathers reject the identification of fatherhood with economic support of children, and instead emphasize the affective functions of fathers. In her interviews with 88 nonresident, low-income Black fathers and 33 of the custodial mothers of their children, Hamer finds that, although few provide consistent economic support, most make a concerted effort to be emotionally involved in their children’s lives. Because these men do not make sufficient income to regularly contribute to their children’s households, they have redefined good fatherhood into a noneconomic relationship. However, custodial mothers are less satisfied with this new definition of

fatherhood. Economically disadvantaged themselves, these mothers want more economic contributions from fathers.

Likewise, Waller's (2002) study of 65 low-income unmarried mothers and fathers reveals that low-income fathers "emphasize non-economic forms of paternal engagement" (p. 49). Again, mothers and fathers have different standards of what constitutes "acceptable" parenthood. While mothers compare fathers' involvement levels against their own involvement and find it lacking, fathers compare their involvement to that of the stereotypical deadbeat dad. This allows them to evaluate themselves more favorably than mothers do, as the comparison with the cultural image of the deadbeat dad gave fathers "a more positive sense of themselves as parents" (p. 76). Furthermore, fathers in the study "accepted and naturalized the differences between maternal and paternal responsibility," claiming that mothers have greater "natural instincts" towards caring for their offspring (p. 77).

In their study of 110 low-income dads in the Philadelphia area, Edin and Nelson (2013) further flesh out this differential in responsibility between mothers and fathers. In this low-income community, men concede choices about contraception and abortion to their female partners. Because this allows fathers to "stumble[e] into fatherhood without explicitly planning to do so, men's sense of responsibility for bringing a child into the world...is significantly diminished" (p. 64). The ultimate responsibility falls on the child's mother—"the buck stops with her" (p. 64). Because of their poverty, these fathers are frequently unable to make significant financial contributions to their children. Rather than feeling like failures because of this, they profess an ethos of "doing the best I can"—

contributing “a reasonable proportion of what is left over to the needs of those in the household he’s living in at the time” (p. 115). This is in contrast to the middle class involved father that Marks and Palkovitz (2004) discuss, who *augments* his financial obligations with emotional support. Here, “the tasks associated with the new father have *replaced* and not merely complemented the more traditional aspects of the role,” relegating the breadwinner obligation to moms (Edin & Nelson 2013:221, emphasis original). When the relationship with the child’s mother goes south, fathers can move on into new partnerships with new children, because the ultimate responsibility for financial provision rests on mothers. By recoupling and “trying again” with a new partner, these fathers can “successfully lay claim to the title of ‘good father’ one child at a time” (219). Unfortunately, this attempt to resolve their feelings of failure and cognitive dissonance leaves “scores of fatherless children behind” (219).

MOTHERHOOD

Unlike fatherhood, which can be “enjoyed *in small doses* as a recreational activity,” motherhood is conceptualized as a full time job (Beck 1992:112, emphasis original). Indeed, the ultimate responsibility for children falls upon mothers. As Edin and Nelson’s (2013) informants show us, fathers have the opportunity to leave their children behind to start over—something that mothers cannot do. This is true for fathers throughout the class distribution. Williams (2000) argues that the norms of divorce law are premised on the idea of a “fresh start” following divorce, as courts “preserve fathers’ freedom to seek future emotional and sexual fulfillment at the expense of their existing children.... Mothers always have understood that having children decreases future

freedom.... Mothers never have had the option of disinvesting in existing children in favor of having new ones” (p. 127).

In fact, *some* mothers do give up custody of their children (including two of my informants), but this occurs with far less frequency than fathers who leave their children. In 2009, less than 1/5 of custodial parents were fathers (Grall 2011). England (2005) argues that mothers are “prisoners of love” to their children—they do not abandon their children because that would mean their children going without the care that they need. Put another way, “women cannot derive power from a credible threat to stop taking care of the children” (England & Kilbourne 1990: 173). The ultimate responsibility for children rests on mothers, not fathers.

Furthermore, motherhood is a moral enterprise, with mothers seen as the nurturers and guardians of childhood innocence. According to Sharon Hays (1996: 7), “it is crucial to avoid corruption of the child’s goodness and the child’s innocence, and parental love [particularly, mother’s love] is the primary ingredient for the maintenance of these virtues.” The care that mothers provide for children in the home is believed to be completely separate from the self-interested logic of the public world. Hays (1996:x) asks, “in a society where the logic of self-interested gain seems to guide behavior in so many spheres of life, one might ... wonder why a logic of unselfish nurturing guides the behavior of mothers.”

Equating motherhood with self-abnegation is taken for granted. Mothers are assumed to be “naturally more altruistic than men, especially towards their own offspring” (Folbre 2002:5). Mothers are expected to put their children’s wellbeing above

all other pursuits—“any behavior, however minor, that can be interpreted as placing some priority ahead of maternal duty can be cited as evidence of ‘bad’ motherhood” (Lewin 2009:131).

The family is conceptualized as a sphere completely separate from the larger economy and ruled by affection, altruism and love rather than material interests. However, this divide between the family and the economy has always been illusory. Zelizer (2011) calls this the “hostile worlds” view. Because of the traditional gender division of labor that posits the private sphere as the purview of women and the public sphere as the purview of men, this reinforces the gendered burden of altruism and “help[s] men explain just why they should be self-interested, while women should be altruistic” (Folbre 2002:13). By putting the burden for selflessness on mothers, this ideology “absolve[s] the public world from responsibility for the values of unselfish care, commitment to the good of others, and willingness to carry out such obligations without direct or material remuneration” (Hays 1996:175).

I now turn to the data to demonstrate how the traditional understanding of motherhood as self-sacrificial, and the ideal of new, involved fathering shaped respondents’ narratives of good and bad parenting.

Findings

Unquestionably, raising children is expensive. When mothers have custody, meeting these expenses is their responsibility, whether or not they receive child support. This was the case for most of my informants, but it was rarely considered noteworthy. Although respondents would share stories of financial hardship, none questioned the fact that

mothers bore the ultimate responsibility for their children. When mothers mentioned their own role as breadwinners, it was to contrast their own financial responsibility to that of their former partners. Julie, a 42-year-old white divorced mother, mentions her own financial responsibility in contrast to her ex-husband. Her ex-husband's decision to leave his comfortable middle-class job is part of what led to their divorce. She describes one of the many part-time jobs that he took on after:

So one of his little part time jobs was at Pizza Hut, making pizza for a while and delivering pizza, which - that's fine, great, you have a job, whatever. You are 47 so you might want to get a more... big person job. But anyway, my daughter's boyfriend happened to work at the *same* pizza place as her dad. So that was a little bit not a proud moment (laughs). Yeah. So, just from that angle they're looking and going - I mean I'm not saying comparing, but they know they can depend on me, they know I'm working (laughs) so it's just different (laughs).

Julie feels that her ex-husband demonstrated his financial irresponsibility by leaving his comfortable full-time job. Compared to him, she believes that her children recognize her financial responsibility. She feels like a more competent breadwinner than her ex-husband was, and takes pride in this belief.

LOVE OVER MONEY

In evaluating their own and others' performance as a good or a bad parent, respondents stressed the importance of love, caring, and time over financial provision. Doris, a 56-year-old white divorced mother of a special-needs son, puts it succinctly: "at the end of the day, money is the cheapest thing." Interestingly, mothers and children stressed this—fathers did not mention it in their narratives.

Keisha demonstrated her commitment to this belief with action. When she turned over the custody of two of her teenage children to their father, Keisha decided to forgive

the arrears that he owed her from his many years of avoiding child support:

It wasn't about the money for me, I had done what I could do for my kids and I was going to keep doing that. So that they could have a relationship with their father, so that he could provide housing for them, I just simply wrote a letter to [the] county, said "zero out the arrearages." The attorney that I had representing me at the time was furious (laughs), he was furious and I kind of felt like he penalized me later (laughs) for doing that, I understand.... [He's thinking,] "Why would you do this [forgive the arrears] now?" But it's not about the money; it never has been about the money.

Because she wanted to make it easier for her ex-husband to adapt to his new role as a custodial parent, Keisha decided not to pursue the delinquent child support that he owed her. Keisha believed that it is her duty as a mother to "do what [she] could for [her] kids," and she thought that forgiving the arrears would help with that. This magnanimous gesture functions in several ways: first, it allows her to demonstrate her anti-materialism, distancing herself from the child support queen. Second, it paints her as a "good mother," who puts the wellbeing of her children above her own selfish interests. Finally, it allows her to avoid the embarrassing possibility that her ex-husband could continue to avoid paying the money that he owed her and in fact would never have paid anyway.

Adult children also contend that money is not the most important thing. Carla, a 19-year-old Latina daughter of separated parents, is explicit about what she wants from her dad. Carla's dad could fit the definition of a deadbeat, because Carla reports that he has made "like two payments" of child support in the several years that her parents have been separated. However, his status as a disappointing dad matters more to Carla than his status as a deadbeat:

It just makes me really sad that he doesn't... care for us enough, I guess.... For me, the money's not really a problem, I just wish my dad wouldn't flake out on me so much and [would] show that he actually cares, have a longer conversation

with me, ask me real questions... Before, it was a money thing, 'cause we were struggling when he had just left us....[But now that] we're not too bad financially, I just really want my dad to care.

Although he has disappointed her both by reneging on promises to help her financially and on plans to see her, it is the nonmaterial disappointment that hurts the most for Carla.

Keisha stresses the importance of non-custodial parents' emotional involvement:

If you're not financially capable of supporting the child, you need to call the child at least. I mean the whole moral attitude needs to change about that. Absentee parents – call your kid! Just give them a call! The money doesn't matter, I mean it's really not about the money, it's about human contact, that says more than anything, human contact.

Keisha's experience as both a custodial and a non-custodial parent is common for non-custodial mothers (Stewart 1999). Her previous custodial relationship with her children could inform her desire and ability to stay close with her children even when they live away from her—something that Carla wishes her father would do.

FATHERHOOD: DEADBEAT AND DISAPPOINTING DADS

The trope of the deadbeat dad was conspicuously absent from my interviews. Two fathers (Rich and Felipe) acknowledge that deadbeat dads exist. The only other time this term is mentioned is by Krista, a 23-year-old white daughter of never married parents.

Here she defends her father against her mother's charges that he is a deadbeat dad:

I just felt happy that my dad cared to contribute. There's a lot of kids that don't get anything, especially when my sisters have never met their father ... so I think it was just more enjoyable to laugh at all the little things that my mother would say about my father when I knew that he was such a great guy. 'Cause that's just what women do, I just feel like they nag constantly about how horrible your dad is when you know them (laughs), you know them. And he would never speak like that about her, also.

BC: What kind of stuff would she say about him?

Krista: She would say that it's called "Deadbeat Dad Day" instead of father's day,

when we would call him and write him letters and we loved him. She just acted like he never paid for anything, which we would also throw in her face. When she's screaming these things at us, we're like, "Look at my straight teeth (laughs) that cost so much money you couldn't have paid for."

Even though Krista's father's child support paid their rent every month, Krista reported that her mother would still refer to him as a deadbeat dad. Krista's narrative reveals complex feelings towards her mother, who struggled to earn enough to support Krista, her sister, and one of her half sisters. Krista considers her mom irresponsible for having children with several men, and conceptualizes her mother's poverty as stemming from making the same "bad choice over and over." Krista also sees her father's affluence as being the outcome of individual choice. She therefore resents her mom's depiction of her dad as deadbeat, when his child support checks paid their rent and he also paid for her braces. Even though Krista would only spend summers with him and rarely saw him during the rest of the year, her perception of his economic responsibility absolves him of the label of the deadbeat dad.

Some of the most poignant stories from my respondents focused on the disappointment that children felt when dads failed to pick up their children for their agreed-upon visits. Ivy, a 19-year-old Latina woman with divorced parents, explains one particularly memorable example of this:

A lot of times a weekend came along that I was going to be with my dad, [and] he wouldn't pick me up.... But it was funny 'cause this one time I guess I threw this horrible tantrum and [my mom's] like, "You know what, go, get your stuff and go with your dad! Go! Call him tell him to pick you up!" So I did, I got all my stuff and I called my dad and he didn't come for me. But my mom has always told me, "Do you remember that day?" and I'm like, "I don't remember," but I do remember calling my dad and he didn't show up. *That* I do remember. I don't know how old I was but I remember that I was waiting for him and waiting and he never showed up and my mom was like, "It's okay—"

BC: You don't have to leave—

Ivy: You can stay here (both laugh).

Ivy doesn't remember the exact incident aside from stories her mom has told her, but the feeling of disappointment has stuck with her. This memory, jointly constructed with her mother, and shaped by her currently close relationship with her mom and distant relationship with her dad, colors Ivy's assessment of her father as a disappointing dad.

Patti recalls that her ex-husband frequently disappointed her daughter in this way during their assigned visits:

Whenever he had his every other weekend, his visitation times, he rarely showed up. I can't tell you how many times my daughter would have her Little Mermaid suitcase all packed up and ready to go with her daddy, sitting by the window waiting and watching for him to come and he never came. She would cry and cry and cry. I can't tell you how many times that happened.

Patti recalled the pain that her ex-husband would cause her daughter by failing to show up for visits. Patti's ex-husband sexually abused her and racked up \$10,000 in delinquent taxes, for which Patti was jointly responsible and ended up paying. This categorization of her ex-husband as a disappointing dad provides further evidence to Patti of his immorality.

Sometimes stepfathers were exposed to the disappointment that their stepchildren felt when their own father didn't carry out his visitation promises. Antoine, a 35-year-old Black divorced father, explains how he has to comfort his stepchildren when their dad flakes out on them:

I had to call [their dad] back and say, "Hey, don't say you're going to do this but you're not going to, ok? 'Cause you're getting the kids all worked up and when you don't do it, you're breaking their hearts. And we've got to deal with it whenever you break their hearts. 'Cause they're still with us."

Antoine's experience dealing with his wife's former partner reaffirmed his own commitment to his son and his stepchildren, as he could see the pain it caused the children when their father was unreliable.

In these interviews, disappointing dads figured much more prominently than deadbeat dads, a logical extension of the belief that love is more important than money. However, a few dads did present themselves as involved fathers, even going above and beyond the expectations of standard visitation orders (every other weekend, one weeknight, one month during the summer, every other holiday). Felipe, a 48-year-old Filipino divorced father, spends time with his children almost every day. Antoine, a 35-year-old Black divorced father, has his son every single weekend. In the summer, his son lives with him full time and sees his mom on the weekends.

Some dads are neither deadbeat nor disappointing, and some dads are both. In these narratives, disappointing dads outweighed deadbeat dads. I now turn to narratives of motherhood in separated families.

MOTHERHOOD: SELF-SACRIFICE OR SELFISHNESS

The image of the involved father and his converse, the disappointing dad, shape discussions of fatherhood in these interviews. Discussions of motherhood drew more heavily on the ideology of motherhood as selflessness. Two participants, Doris and April, provided narratives that drew most heavily on this frame. Doris is aware of the career sacrifices that she had to make in order to care for her special-needs son. She finds it unfair that her ex-husband never had to make these kinds of decisions. But, she goes on to say:

On the other hand, (laughs) I feel really good that I stepped up to the plate. I mean, [my son] Alex is a huge part of my life and I feel really good that I made sacrifices for him – that is kind of a good feeling, to know that you can put someone else’s interests above your own (laughs) ‘cause it’s so easy in life to be selfish. So he was - I mean, yeah, he’s my proudest achievement. So I have to say it’s all worth it.

At the end of the day, Doris is proud that she sacrificed for her son’s wellbeing. She is somewhat resentful that her ex-husband did not have to make the same career sacrifices that she did, but she feels like these sacrifices made her a good mother. Because her son has special needs, Doris felt that the effort and sacrifice she exerted for him are greater than those that most parents are asked to make. The fact that her son is able to live semi-independently as an adult makes Doris proud of the job that she did as a mother.

April is another respondent who utilized a narrative of selflessness. April is a 52-year-old white divorced mother who relinquished custody of her daughter to her ex-husband after her daughter requested to live with him:

At the beginning, [there was] a bunch of fighting... and I said I’m not givin’ my kid to you, I’m not just going to *give you my kid!* [But then one time] my daughter was in my car, [and said], “Mom, I want to live with papa.” ... That just broke my heart, I’m like, you know, I could fight him and I could fight the court and I could drag this out forever, but my kid’s sitting here crying telling me, “I don’t want to live with you, I want to live with my *dad*, I want to live with my *dad!*” What can I do? Go live with your dad.

Although April did not want to give up custody of her daughter, she felt obligated to do so after her daughter requested to live with her dad, who is far more affluent than April. April provided the following story to illustrate how she conceptualized giving up custody of her daughter:

It was just wanting to make [her] life better. Ok, like my father was in Vietnam ... [he would] talk about when he was in Vietnam, how ... during the fall of Saigon, how many mothers were trying to give their babies over to the Americans that were

evacuating. “Take my baby! Give it a better life.” And that’s how I thought. I want my baby to have more, I want my baby to have the ability to be in band, and I want my baby to have the ability to go to medical school and go to college, and be at a school that she can do all the things that are going to look good on admissions to school, for medical school, all the things that colleges look at. So I just wanted a better life for my kid. I’m like, “Man, this seems kind of selfish on my part,” I love my baby too much I think, but I want her to have a better life than what I can offer her.

April utilizes the symbol of Vietnamese mothers sending their children to America with soldiers so that they can have a better life in her narrative of how she felt about giving up custody of her daughter. This rhetoric of selflessness shores up April’s view of herself as a mother—something that losing custody of her child had challenged. Ironically, she ends this profession of motherly selflessness by saying that she feels *selfish* about it, because she “loves her baby too much” and wants what’s best for her.

Because good motherhood is seen as synonymous with self-sacrifice, some respondents used this discourse to strengthen their identities as good mothers. The definition of a bad mother, the child support queen, is the selfless mother’s opposite.

Being a good mom means putting one’s children ahead of oneself. One interesting way that this norm was expressed in my respondents was through the trope of the child support queen—a mother who spends child support payments on herself, at the expense of her children’s wellbeing—usually on her own self-grooming or recreation. For example, respondents report child support queens spending this money on getting their hair or nails done, shopping, or partying and drinking. This was an extremely prevalent theme; more than half of my respondents (11 out of 21) make reference to child support queens. Moms typically contrasted their own child support spending to that of the child support queen, in order to validate their own spending choices. Doris provides a typical

example:

It's not like I was using the money to go out to ladies' night every night (laughs), go buy margaritas for all my friends, I mean if I'd had that kind of lifestyle it'd be different.

Doris places her spending choices within her larger narrative of self-sacrifice for her son. Unlike wasteful child support queens, Doris believes she spent her child support payments in ways that increased her son's wellbeing.

Krista stresses that her mom wasn't selfish in her child support expenditures:

I mean she wasn't *that* mom, she wasn't out, she had nothing, she worked her butt off, she had no friends and no fun and no cute outfits.

Implicit in Krista's statement is that a woman *couldn't possibly* be a good mother if she had friends, fun, or cute outfits. Being a good mother means giving these things up and instead "work[ing] her butt off" for her children.

Some dads likened their former partners to child support queens because they distrusted their ex-partner's priorities. Leland, a 39-year-old white divorced father, suspects that his ex-wife is a child support queen because of the clothing and appearance of their children:

Now the children, when I see them, they look a little disheveled, 'cause she's not taking care of them. She always has a new pair of shoes on but the kids still have shoes on from a year ago. I don't know where my \$650 goes a month - it probably doesn't go to the kids, but I have no control over that.

Leland suspects his ex-wife of using the child support payments he sends her for her own benefit instead of for the wellbeing of the children. This is part of his narrative of his ex-wife's selfishness, a narrative continued in his explanation of their encounters in family court. His ex-wife spent \$32,000 on legal fees during their divorce, because:

She just wanted to bury me. I have no idea why. ‘Cause she’s evil, that’s all I can say. She’s never looking out for the kids’ best interests, I mean, keeping them from their dad? ... Everything she’s done is just to hurt me. Everything, it’s not for the benefit of the children. \$32,000 would have benefited the children a lot more than trying to bury me [in court]. But she didn’t care about that.

Leland believes that most of his ex-wife’s actions are motivated by her own selfish urges, not the wellbeing of her children. Instead of spending the child support money on new shoes for her children, she spends it on herself. She also spent her lawyer fees in a selfish way—obtaining custody of the children and restricting Leland to supervised visitation only, something he sees as bad for his children because it “keep[s] them [away] from their dad.”

Likewise Joe, a 54-year-old Black divorced father, questions his ex-wife’s motives and suspects her of being a child support queen. He believes that her decision to leave him in the first place was a selfish one. A military employee like he is, Joe’s wife came back from a tour of duty and decided:

She ... wanted a divorce, wanted to be a single woman. But she’s trying to punish everybody because of what she wanted. And I sat there and tried to explain to her, “Hey you’re dealing with a family now, it’s not just what you wanted. When you do stuff like that you’re throwing the kids involved, everyone, your family, my family, everyone’s gonna be involved in this. They’re going to be hurt or not understanding, you know, but you’re so focused on what you want right now.”

If she was truly a good mother, Joe believes that his ex-wife would have considered the ramifications that her decision to divorce him would have on the children. Instead, he believes that she did not do this and instead acted selfishly in her decision to divorce him. This belief in his ex-wife’s selfishness led Joe to suspect that she might be a child support queen. He compares her behavior to that of other child support queens that he witnessed in family court:

I know one lady that... she was getting child support from four different guys and was still on welfare in 2 different places.... And they weren't cheap child supports, they were like \$500 each, and she's not working - the kids lived so bad. They lived so bad. She would go out and party and leave the kids at home. And I'm sitting there going like - well, I'm not living where I can see my ex-wife but I'm wondering if that's going on. 'Cause if they know that they've got this money coming and they get dressed up on the first of the month and they go out to party with their friends, then where are my children at? And I did run into that a couple of times and they're [my ex-wife and the kids] not home, and I call their grandparents and, "Oh [the kids are] here with us, yeah [their mom] had to go do something tonight." Yeah. It's Friday night. Yeah. She had to go do something. (Sarcastic).

Because Joe's ex-wife left her children with her parents on a Friday night, Joe suspects that she is out partying with the child support money that he sends her. Indeed, the very fact that she has gone out on her own, leaving the children with babysitters, throws into question her adequacy as a mother, because she is expressing her own interests—something mothers are not allowed to do.

Discussion

The parenting narratives that my respondents give reflect larger cultural beliefs about what it means to be a good mother and to be a good father. The ideology of motherhood as selflessness pervades mothers' reports of their own behavior and informs the criticism both mothers and fathers give to the trope of the child support queen. The image of involved fatherhood and its opposite, the disappointing dad, shape respondents' evaluations of fatherhood.

Motherhood continues to be defined along traditional lines, and is heavily equated with selflessness. Some mothers use this as a major frame in their narratives. The prevalent trope of the child support queen also draws from this conception. Child support queens are bad moms because they put their own desires (for a manicure or a margarita)

above their children's needs.

Despite the material difficulties that they may experience, moms and adult children emphasize that money is not the most important thing—love, time, and care all matter a great deal more. This is in line with the ideology of the family as a separate sphere, a space where altruism reigns, unlike the rational self-interest of the public sphere. For children, memories of disappointing dads hurt more than memories of dads who fail them financially. For moms, this rhetoric allows them to distance themselves from the materialism of the child support queen by deemphasizing the importance of fathers' financial contributions.

The ideology of the importance of love over money can help explain why the deadbeat dad trope does not figure so prominently in these narratives. Child support policy dictates that fathers are obligated only to provide material support for their children. There is no enforcement apparatus ensuring that fathers are involved with the care of their children. Yet, this definition of fatherhood with breadwinning “clashes with unwed [and separated] parents' ideals about parental responsibility” (Waller 2002: 112), as can be seen by the ascendancy of the involved fatherhood ideal (Marks & Palkovitz 2004) and the embrace of it by low-income fathers (Hamer 2001; Waller 2002; Edin & Nelson 2013).

Fathers have access to the ideology of love over money in their efforts to “redefine fatherhood” away from breadwinning. In their emphasis on the importance of love over money, mothers too are supporting this redefinition of fatherhood. Yet, separation itself reduces paternal obligations, so long as mothers continue to get custody

in most cases. In married or cohabiting breadwinner/caregiver families, fathers are expected to share with their children as much money as it takes to successfully rear them. Because they reside with their children, time spent together is also greater (although the amount of day-to-day care that fathers provide is much less than that provided by mothers (Hochschild & Machung 1989).) Living away from one's children reduces both of these obligations—instead of sharing as much money as it takes, non-custodial parents are obligated to provide only a certain fixed percentage of their income.⁴ Care responsibilities are also reduced from daily interaction to designated “visits.” The replacement of the breadwinner dad with the involved father and its attendant love over money rhetoric reduces men's obligation to the only thing that society has traditionally asked of them—and the only thing the state has the capacity to enforce—their (limited) financial obligation to children. This absolves fathers of every role but that of “a favorite uncle—the man who can be counted on to spring for the diapers or tennis shoes when things get tight [or] show up on the weekends for a visit” (Edin & Nelson 2013:225). Mothers remain those ultimately responsible for children.

⁴ This works out somewhat differently for the non-custodial moms in the sample. In 2 (Ashley and April) of the 3 non-custodial mom/custodial dad arrangements here, fathers had re-partnered. It is not unlikely to assume in these cases that fathers' new partners took on the custodial role rather than fathers themselves, as fathers continued to work full time in both cases.

CHAPTER THREE:

THE FAMILY AND THE STATE

In this chapter, I examine how participants view state child support policy. I address the question of whether the state treats family members fairly in matters of child support, custody, and visitation. Both men and women think the system doesn't work fairly for them. For the custodial parents I interviewed, the child support rules and guidelines established by the state may be fair on paper, but they do not work out fairly in practice because of loopholes and the state's failure to effectively enforce child support orders. In contrast, some non-custodial parents feel that the system itself is biased against them in matters of child support, custody, and visitation, and feel mistreated by child support officials.

Gender is key to understanding these conflicting interpretations. Fathers' Rights Activists assert that the state is biased against men because it compels them to pay child support, it more often grants custody to women, and it does not enforce visitation guidelines. In contrast, feminist scholars argue that the state is gendered and upholds gender inequality. By redistributing the property of the more powerful family member, the father, child support payments can empower less powerful family members. Yet, child support payments are also enforced unevenly across classes. Therefore, child support policy has ramifications for both gender and class inequality.

Literature Review

The state-family relationship is a complicated one—although the state has the power to create, regulate, and legally recognize (or fail to recognize) families, the family

has also traditionally been conceptualized as a sphere that should be free of state intervention (Josephson 1997:6). The family is only subject to state control on the basis of the “principle of subsidiary – the ‘state will only interfere when the family’s capacity to service its members is exhausted’” (Esping-Anderson 1990:27, quoted in Orloff, p. 312). Child support payments fall under this principle, as the state promotes private parental economic responsibility for children. According to Josephson (1997:44-45), child support enforcement serves three main state interests: to recover welfare expenses, to enforce private economic responsibility of parents towards their children, and—more vaguely—to enhance child wellbeing. Of course, these interests can be contradictory, as “a *substantive* version of child well-being is likely to conflict with the goal of short-term fiscal savings for the state” (Josephson 1997:46, emphasis in original). Because of these conflicting state goals, there is a large class divide between welfare and non-welfare cases. If a custodian receives public assistance, a child support order is automatically opened against the other parent—the custodian receiving public assistance cannot decide against pursuing child support (Texas OAG 2010). Instead of getting to keep these child support payments, the custodian who receives public assistance assigns her right to child support to the state, who collects these payments to reimburse the cost of the public assistance (Committee on Ways and Means p. 8). In these cases, state interest in recovering the cost of public assistance “takes precedent over either the child(ren)’s or the custodian’s interests” (Josephson 1997:136).

In order to receive TANF funds, states must have a child support enforcement system that meets federal performance standards (Committee on Ways and Means p. 7).

A 1989 Texas law allowed the state to “reinvest the cost savings generated by the child support program back into the program itself” (Josephson 1997:36). Hence, the child support payments recovered from non-custodial parents whose children are on welfare are spent on the child support enforcement program, which benefits both poor and non-poor custodial parents. According to Josephson (1997), this amounts to a redistribution of resources from poor non-custodial parents towards enforcing child support payments for non-poor custodial parents.

In addition to its uneven application to people of different classes, child support also affects men and women differently, due to the fact that the overwhelming majority of custodial parents (over 80%) are mothers (Grall 2011). Both men and women are unsatisfied with the child support system, but for divergent reasons. According to a child support administrator interviewed by Josephson (1997:125), “everyone affected by it dislikes the child support system.” Coltrane and Hickman (1992) analyze the rhetoric of mothers’ and fathers’ organizations around issues of child support and child custody. Fathers’ Rights organizations use gender equality rhetoric to claim that “fathers and mothers should have equal ‘rights’ to their children” (Coltrane & Hickman 1992:408). They also cite research that shows that contact with fathers is good for children (e.g., Carlson 2006) and promote joint custody as filling “children’s ‘need’ for continuing close relationships with both parents” (Coltrane & Hickman 1992:402). This leads to the “pro-contact” philosophy in family law, which encourages contact between fathers and children. In pressing for more access to their children, fathers’ interests in seeing their children are conflated with children’s needs to see their fathers (Coltrane & Hickman

1992:408). Their utilization of gender-neutral language “allow[s Father’s Rights Activists] to claim that they [a]re the ones fighting against sexism and promoting true gender equality” (Coltrane & Hickman 1992:416).

Similarly, Josephson and Burack (1998:213) analyze how the ideology of “family values” cloaks “a disclaimed political agenda of masculine private and public authority.” Promoters of family values attribute most contemporary social problems to “fatherlessness” and increasing individualism in the family (Beck 1992) that place the interests of different family members at odds with one another (Josephson & Burack 1998). By advocating a return to the “traditional” breadwinner/caregiver family, family values proponents “deliver the ideological plea for order and masculine authority in the attractive packaging of child wellbeing” (Josephson & Burack 1998:226).

Of course, families have never been the perfectly soluble, collective enterprises that promoters of family values ideology purport them to be. Families are comprised of different family members whose interests may be contradictory. These fault lines become more visible in families where parents are separated. In these cases, the state is called upon to negotiate between the contested interests of different family members.

One of the major areas of contention between separated mothers and fathers in family disputes is the connection between child support and visitation. Czpankiy (1988) evaluates two different types of state laws: “connecting” laws, where child support and visitation depend on one another, and “disconnecting” laws, where they bear no relationship. Texas is a state where child support and visitation are disconnected, but many are under the impression that child support and visitation should bear some

relationship to one another. In observation of child support court that I conducted as part of this research, it was common for dads to inquire to the child support judge about how to enforce their visitation. Many complained that the mother of their children would not let them see the children. In response, the judge would reply that they were in court because of child support; visitation was a separate matter that would not be discussed.

Czpanskiy (1988) explains the connection between visitation and child support with the metaphor of “buying,” with child support payments, access to the child in the form of visitation. But here, the buyer and the seller do not have equal power. If the buyer “elects to purchase contact with the child by paying support, he has the right to do so; the seller cannot refuse to sell. If the buyer elects not to pick up his purchase, the seller cannot require him to do so” (Czpanskiy 1988:650). Courts cannot force non-custodial parents to visit with their children, nor can they force custodians to allow non-custodial parents access to their children.

The recognition of the family as private has helped to obscure unequal power relations within it. Williams (2000:120) illustrates how the institution of law functioned to uphold gender inequality within the family by separating “men’s claims in[to] the nondiscretionary realm of property [and] women’s and children’s claims [in]to the discretionary realm of family law.” Under the system of coverture, “the common-law system that defined the family property as belonging to the husband,” claims of women and children depended upon “courts’ willingness to redistribute a man’s property” to family members other than the father (Williams 2000:116;120). Today, the legacy of coverture persists in what Williams (2000:122) calls the “he-who-earns-it-owns-it rule,”

or what Ellman and Ellman (2008:121) call the “earner’s priority principle”—the idea that “everyone, including a non-custodial parent, ordinarily has the first claim to his own income.”

Given the gendered bases of property and family law, child support payments have the potential to ameliorate gender inequality. According to Josephson (1997:141), “for women who actually receive the child support payments awarded, the existence of guidelines alters the power relationship between the custodial and non-custodial parents.” Placing the power of the state behind the claims of less powerful family members (women and children) reverses the traditional division of power within the family. To Josephson (1997:163), this is a legitimate function of the state: “the families/state nexus might be more usefully understood as a relationship in which the state pursues its legitimate ends, which under some circumstances involve protecting the immediate or long-term well-being of some members (even when countered by the claims of other family members).” By granting legitimacy to the claims of less powerful family members on the income of the most powerful member, child support policy has the potential to make gender relations after divorce more equitable.

I now turn to the findings to examine the ways that respondents experienced contact with the state through child support enforcement. Gender and custodial status figure most prominently in this divide. The custodial mothers I interviewed were unsatisfied with how the state enforced child support, and the non-custodial fathers I interviewed felt that the state was biased against men.

Findings

LOOPHOLES AND ENFORCEMENT

Although they find the child support system to be fair *in theory*, many custodial parents are dissatisfied with the child support system *in practice* because they feel that it doesn't work the way that it is supposed to. They are frustrated with the loopholes they found in the system and are frequently disappointed with the effectiveness of the state at collecting the child support payments that they are owed.

More than a third of my respondents (Ivy, Maya, Carla, Patti, Ana, Miranda, Keisha, and Antoine) point out loopholes that non-custodial parents utilize to avoid paying child support. Ivy, Carla, Keisha, and Patti had fathers or ex-husbands that took jobs that paid "under the table," allowing them to hide their income from child support authorities. Patti, a 54-year-old white divorced mother, reports that her ex-husband worked as a welder on contract for his brother and was thus able to avoid both his child support and his taxes. She reports that her ex-husband paid child support only once or twice, and the only time Patti got a significant amount of money from him was when she was able to place a lien on an inheritance that she heard he was getting. Keisha, a 47-year-old Black divorced mother, reports that her ex-husband did not start reporting his income until after Keisha forgave his arrears and he took on custody of their two children. Ana, a 28-year-old Latina never-married mother, reports that her former partner does tattoos on the side and gets paid in cash so that child support will not be deducted from this portion of his income. Although he is a non-custodial parent, Antoine, a 35-year-old Black divorced father, is frustrated with this loophole as well because of the way

it affects his stepchildren. He reported that his wife's former partner works under the table so that he can avoid the child support payments he is supposed to pay Antoine's wife for their children.

Joe, a 54-year-old Black divorced father, was frank about how he utilized this loophole at one point to improve his financial situation. As we saw in Chapter One, Joe reported facing financial hardship due to child support payments he considered too high. Joe had a second job on the side so that he could save some of his income from child support deductions:

Well you have to have another job, and you have to keep that secret because at that time if the court knew you had another job they w[ere] going to go after that income too, that would just raise your child support, so you had to kind of get paid under the table. You couldn't sit there and go, "Oh I got a check stub," no, "I need cash man (laughs), don't pay me nothing where they can trace it, you just pay me cash." So that's what I did, I worked places and got paid cash.

Over the summers Joe worked as a bus driver for camps, and the school district where he worked was sympathetic to his tight financial situation and agreed to pay him under the table to let him avoid having this income garnished for child support. Joe's admission of getting paid under the table suggests that many non-custodial parents are aware of this loophole.

Similarly, Miranda and Ana point out that there is a lag between getting a new job and having child support payments deducted from that income. Ana felt that her former partner was exploiting this lag so that she wouldn't receive child support regularly:

Something has to happen with the guys that stop working and go on and off [of child support], I just think there has to be more punishment. Right now it takes three months to even get anything [after her ex starts working]He's pretty much playing the system and, since everybody knows that on the third month he'll start working again and then it takes 45 business days for me to get anything,

and then by that time he has stopped working again.

Ana feels that her former partner is deliberately using this loophole so that he can avoid the child support payments that he is supposed to be paying her. She is frustrated that the system allows him to do this.

Custodial parents also feel that the state does not sufficiently try to enforce the child support payments that they are owed. Miranda and Patti said that child support caseworkers did not try to garnish their former partners' wages, even after Miranda and Patti provided employer names, phone numbers, and addresses. Miranda, a 30-year-old never-married mother, explains:

I knew he was working [but] I didn't know where, and they were like, "Oh we don't know, we haven't found anything about the job," so finally I spoke with his sister and she told me where he was working and so I called them and I told the [child support] office and they wouldn't take the information! They wouldn't even look into it. So I was pretty upset about that.

Despite her efforts to help child support officers track down her former partner's employer so that they could start deducting his assigned child support payments, Miranda claims that the child support officers didn't care to actually enforce this. She is dissatisfied with how the system worked in practice.

Patti had a similar experience with the child support office. She provided them with her ex-husband's employer's information but they wouldn't do anything:

I would say, "Here! Here's where he's at! He's right here right *now*, go find him!" They wouldn't.... 'Cause I remember saying, "If I can find him, why can't you?" (laughs)

Patti is disappointed with the child support system because she maintains that child support officers were unwilling to actually pursue her husband for his delinquent payments, no matter how much information she provided them.

Custodial mothers believed that the state was inadequate in obtaining for them the child support that they were owed. Loopholes that allowed fathers to avoid paying child support, along with lackluster enforcement, combined to make them feel that child support enforcement is not executed fairly towards them.

Importantly, none of my respondents reported receiving TANF, although some mentioned involvement with other forms of public assistance at one point or another. Eight⁵ (Jordan, Patti, Ana, Miranda, Doris, Maya, Joe and Earl) reported receiving Medicaid at some point—another form of public assistance that leads to the automatic opening of a child support order (Texas Office of the Attorney General (OAG) 2012a, p. 4). As discussed in the literature review, child support is disproportionately enforced against non-custodial parents whose children receive public assistance. Participants' involvement with Medicaid should, therefore, have increased child support enforcement efforts on the part of the state. Yet, the custodial mothers I interviewed had difficulty getting their child support orders enforced. At the time the interviews were conducted, only Maya reported that her children were still receiving Medicaid. Despite this, Maya was only able to receive child support from one of her former partners; the father of her youngest child has so far been able to avoid consistently paying his formal child support.

⁵ In addition to the 8 who mentioned Medicaid, 4 mentioned food stamps, 4 mentioned disability, and 4 mentioned public housing.

Miranda, Patti, and Ana continued to report difficulty receiving their child support payments.

THE BIASED STATE

Non-custodial parents are also dissatisfied with the child support system. Compared to custodial parents, they are more likely to assert that decisions about custody, visitation, and child support are made unfairly. This is in line with the Father's Rights and Men's Rights assertions that divorce, custody, and child support law is biased in favor of women. A few respondents also utilized discourses of child wellbeing to promote their own interests against those of their former partners. Finally, non-custodial parents also reported that the system treated them like criminals when they hadn't done anything wrong.

Joe was particularly vehement that the system is biased against non-custodial parents, particularly men. He explains how he found this out while trying to obtain custody of his children in a county with a reputation for being unfair to men:

And I got divorced in Campana County, Campana County is the toughest – supposedly, this is what they told us –the toughest place for a man to get divorced in the state of Texas is Campana County 'Cause when I was trying to fight for custody of my girls, they're like, "Pssh you ain't winning court custody here, do you know where you are? You're in Campana County, there's not been a man who's won a child custody case" – except *one* man. And the only reason he won was 'cause the wife was dead (laughs) he won custody 'cause the wife was dead, and I did not believe that until I actually went to a court.

Joe believes that judges in Campana County are so prejudiced against men that the only way they would award custody to a man is if the children's mother dies. He felt that

judges are so biased that they would not even *consider* giving custody to a man in ordinary cases.

Not only was Campana County biased in its custody decisions, but, according to Joe, they also uncritically give women whatever monetary support they ask for from their former partners:

[My ex-wife] decided to raise my child support. And ... when they're raising the child support, they don't even *ask* how you're doing financially. She's asking for \$200 more and they don't ask you how you're doing financially. They just said, "Oh you're requesting \$200 more," and they say [to me], "Show me what your finances are." And they're not looking at how well you're going to live if I raise it \$200.

Joe maintained that child support authorities had no regard for the financial hardship that he would have to endure when they raised his child support. The system was too sympathetic to custodial parents and completely insensitive to the financial situation of non-custodial parents like himself. These incidents proved to Joe that the child support system is unfair towards non-custodial parents, particularly men, in its decisions about custody and child support amounts.

Leland, a 39-year-old white divorced father, also believes that the system is stacked against him, especially in relation to visitation with his children. Leland has been ordered into supervised visitation for a year, after which he will have the opportunity for standard visitation. This supervised visitation will be phased out gradually in steps. For the first three months, he is only allowed to see his children for eight hours once a week, with supervision. However, he is required to make six visits out to see his children over this yearlong progression, or else he is ineligible for standard visitation. This isn't easy for Leland, because his ex-wife has moved the children out of the state, and visiting them

is an expensive proposition. Especially for this first phase, Leland claims that this is monumental task:

It's insanity, it's lunacy, I mean right now it would cost me... oh, \$1000 round-trip and then hotel, rental car, just to see my kids for 8 hours! I can't do that, how am I supposed to pay child support and my bills and see my children? I mean the way this is structured is really totally to make me not be able to do it. To make me fail is the way it's structured.

Leland feels that the requirements he has to meet during this yearlong visitation progression are completely unreasonable. According to Leland, the way that this progression is structured is designed to make it as difficult as possible for him to complete it. He feels that the system is designed unfairly and is unsympathetic to the financial and logistical difficulty of travelling out of the state to visit his children.

Leland's story of how his ex-wife moved his children out of the state contrasts starkly with an incident that I observed doing field observation as a supplement to this project. I observed and took field notes of public trials going on in the IV-D child support court. One case that I witnessed is worth mentioning here. A mom and a dad, both Black, were before the judge fighting for custody of their children. The mom had had custody of the children but was evicted from her home and unable to find another place to live in the county. She testified that she asked dad to take custody of the kids temporarily until she could find another place to live. She finally found a place to live, but it was in a city three hours away from where their dad lived. The following excerpt from my field notes illustrates the judge's decision about this case (and my reactions to observing this case):

The judge [tells mom that the other city] is a big problem, because the kids will have to have a "long distance relationship [with their dad]—because you made it that way." Mom reiterates that she wants to live in [the county where dad lives] and she would, but no one will give her a lease because of her evictions....The

judge is adamant about the fact that she doesn't think that living in [the other city] would be in the kids' best interest. She says moving was mom's "choice to leave your kids," which strikes me as super harsh! Mom is upset and crying....The judge orders that the kids will be ordered into dad's custody until a guardian ad litem can evaluate their wellbeing there, and then they can come back to court [to revisit the case].

In the case I observed, the judge did not allow the mom to move three hours away within the same state, because that would make it so that the kids and their dad would have to have a "long distance relationship." It is important to note that these court cases are through public county court, where participants may be charged only a nominal fee, if any (Travis County Clerk 2013). Leland's experience was quite different because he reports that his ex-wife hired an attorney and spent \$30,000 in private legal fees. If Leland and his ex-wife had to negotiate for custody through public court, his ex-wife may not have been allowed to move their children out of the state.

Yet, Leland being ordered into supervised visitation also requires consideration. According to Straus (1995:231), supervised visitation can be ordered for any of the following reasons: family violence, a parent's substance abuse, a parent's mental illness, a risk of abduction, a child's refusal to visit, a custodian's refusal to allow visitation, a situation where the child has never met the non-custodial parent, or "allegations that a child is at risk for any of these reasons." Leland did not discuss with me the reasons that his ex-wife gave for ordering him into supervised visitation, but, since this request was granted by the court, his ex-wife may have felt that the children were at risk if they were to visit with Leland without supervision—whether or not this feeling of risk was merited by Leland's behavior or action.

In his explanation of why this progression through supervised visitation is unfair, Leland points to the interests of his children. Not only is this unfair to him, but he also believes this is unfair to them:

I don't think that's fair at all, I don't think it's fair to my children to be taken away from their dad's love and not have the access to their dad ... just a whole loss of connection there.

Like the Father's Rights Activists in Coltrane and Hickman's (1992) analysis, Leland asserts that his interests and the interests of his children are the same—to spend time together and share an emotional connection. By ordering him to go through steps of supervised visitation, Leland maintains that the state is being unfair both to him and to his children.

Joe also speaks to the issue of children's interest, but in relation to the amount of child support that the state orders. Instead of identifying his children's interests with his own, Joe challenges what he sees as the identification of the children's interests with those of the custodial parent:

And the state itself doesn't try to help [the non-custodial parent], the state only helps the person who's receiving the child support... The state is there saying that they're representing your children, but they're fighting for everything she [the custodial parent] is asking for (laughs), and the children are not there asking for nothing (laughs), the [representative of the state] is asking for it. And every time you say, "Well that's not fair, she shouldn't get that," [they say], "Well we're not fighting for her, we're fighting for your children." But [she's getting] everything she's asking for.

During child support hearings, a lawyer for the state is present, acting in the interest of the child as an attorney ad litem (Travis County Domestic Relations Office 2013). To Joe, however, the representative of the state who is supposed to be acting in the interest of the child is actually acting in the interest of the custodial parent. He believes that this

demonstrates the state's bias in favor of custodial parents, because they confuse the interests of the child with the interests of the custodial parent. However, as seen in Chapter One, in money matters it is often very difficult to distinguish between the interests of the custodial parent and those of the child, because the custodial parent receives the child support payments on behalf of the child. For someone who believes that his ex-wife is a child support queen, like Joe, it is easy to see why he doesn't think that his ex-wife will use the money for the support of his children.

Finally, some non-custodial parents feel that the state treats them disrespectfully and presumes their wrongdoing. Joe asserts that child support officials automatically act like "the person who's paying child support is the bad person." Rich, a 41-year-old Black divorced father, explains that it is a problem of tone. Child support is generally collected on a monthly basis, but Rich pays his child support biweekly. Because of this, at the end of the year the child support system sends him "these shitty letters" that say that he is behind on child support, because the biweekly money transfer lags a little. He explains how this made him feel:

First it really hurt my feelings and it really pissed me off, it was shitty ... I'm like really? So that's the general letter you send out? You're already treating people like they've done something wrong, like they're dirt bags?

Rich is offended by the letters that child support officials send him when it looks like he is behind on child support. These letters indicate to him that the child support system perceives non-custodial parents who miss even one payment as "dirt bags" and treats them disrespectfully, instead of accepting in good faith that they will make the necessary

payments. To Rich and Joe, this demonstrates that the system is unfair towards non-custodial parents, presuming them to be at fault.

Discussion

In its effort to enforce child support payments the state has some heavy enforcement tools at its disposal. The state has the authority to garnish wages, place liens, suspend licenses, and imprison non-custodial parents who are delinquent on their child support payments (Josephson 1997). Yet, only 41% of assigned child support is actually collected (Grall 2011:1). Custodial parents have pointed out some of the loopholes that enable non-custodial parents to avoid paying child support, and demonstrate the state's reluctance to enforce these orders satisfactorily. Given the massive state power behind child support enforcement, why are collection rates so low?

Child support payments are enforced unevenly by class (Curran & Abrams 2000; Josephson 1997; Chung 2011). The poorest non-custodial fathers are those most likely to have children who rely on some form of public assistance. When a custodial parent applies for public assistance, such as TANF or Medicaid, a child support order is automatically opened on the non-custodial parent (Texas OAG 2010). For those on public assistance, the state seizes their child support payment and uses it to reimburse the cost of providing TANF or Medicaid (Committee on Ways and Means 2008; Josephson 1997; Waller 2000).

In contrast, custodians with non-welfare cases are able to decide whether or not to pursue formal child support (Texas OAG 2010), so non-poor fathers are less likely to be subjected to the punitive apparatus of the state than are poor fathers. Mincy and Sorenson

(1998) disaggregate fathers who do not pay child support into those who are capable of paying but do not, and those whose economic situations are so dire that they cannot pay child support (who they problematically refer to as “deadbeats” and “turnips,” respectively.) In contrast to the stereotype of the “deadbeat” dad as Black or Latino, Mincy and Sorenson (1998) find that over half of dads who can afford to pay but do not are white, while 2/3 of those who cannot afford to pay are Black or Latino. Because their children are more frequently on public assistance, the state is more likely to use its power to enforce the payments of the poor than the non-poor (Chung 2011). Because 2/3 of those who are unable to pay child support are men of color, this amounts to their further marginalization and vulnerability to state power (Chung 2011).

The fact that women more often obtain custody than men has been cited by Father’s Rights Activists as evidence that the state is biased against men. However, because mothers take on the lion’s share of day-to-day care while partnered (Hochschild & Machung 1989), their continuation of this role after separation makes sense, because they have greater knowledge about the child’s needs and desires. Because they spend more time caring for them, mothers may be better equipped than fathers to take on sole custody. Furthermore, granting men equal rights after separation when they did not have equal responsibility during the partnership denigrates the value of mothers’ care labor and perpetuates male privilege. According to Williams (2000:212), this arrangement “preserves for fathers the right they currently have in intact [partnerships]: to provide only a small percentage of the day-to-day work of raising a child while retaining equal rights to make important child-rearing decisions.” By ceding most of the care of their

children to their wives or partners while they are together, men are reducing their claim for custody of their children in the event of separation, whether they understand this or not.⁶

The tools the state has at its disposal are better suited for enforcing child support payments than they are enforcing visitation—be it requiring that custodial parents allow non-custodial parents access to their child, or requiring that non-custodial parents visit with their child. Aside from providing resources and legal information about visitation, the Texas child support authority can do nothing else to endorse visitation (Texas OAG N.D.). As this disadvantages both non-custodial parents (by not providing recourse against custodians who won't allow access to children) and custodial parents (by not requiring that non-custodial parents visit with their children), it is unclear whether this unfairly advantages men or women.

Child support structures systems of advantage by both gender and class. Because it places the weight of the state behind the interests of less vulnerable family members, child support policy has the potential to reduce gender inequality and subvert traditional principles like coverture. However, it does not sufficiently account for the disparity in responsibility for children between men and women, as demonstrated in Chapter Two. Child support also structures by class. Because the state has an interest in recouping welfare costs, child support enforcement will continue to come down disproportionately on poor non-custodial parents. This arrangement does not help poor custodial parents, because they do not get to keep the money that the state collects from their former

⁶ I am indebted to Jennifer Glass and my colleagues in her work and family seminar for this insight.

partners; this money goes back to the state to reimburse the cost of public assistance expenditures. Josephson (1997) argues that this amounts to a redistribution of income from poor non-custodial parents to non-poor custodial parents, who, she argues, benefit most from child support enforcement. Yet, the state also has less of an incentive to enforce child support obligations that would benefit non-poor custodial mothers, because the state does not get to keep this money. The only people that appear to win from this arrangement are non-poor non-custodial parents who manage to avoid child support enforcement. As long as the funding and enforcement structure of child support stays the way it is, middle class non-custodial parents will continue to get away with not paying child support, and poor non-custodial parents will continue to be disproportionately subject to coercive state power.

CONCLUSION

According to Josephson (1997), child support policy is motivated by three main state interests: recouping welfare expenses, consolidating parental economic responsibility for children, and improving child wellbeing. These compelling state interests are placed in order of importance, as is revealed when these different interests conflict. I will evaluate these interests in turn. Next, I summarize my major findings from this Thesis. I end with policy recommendations and directions for future research.

Child support enforcement no longer functions for recouping state welfare costs. Because there are many more families who enlist child support enforcement services than who receive TANF, expenditures on child support now outpace TANF savings (Chung 2011:79). Yet, TANF cases continue to be enforced more heavily than non-TANF cases (Chung 2011). Because child support enforcement no longer provides net savings for the state, the other two justifications for child support enforcement have become more prevalent.

Child support reinforces the private economic responsibility of parents to their own children. Children are not seen as public goods, future workers and future citizens, worthy of state investment, but rather are seen more as discretionary consumer goods, like pets, that parents elect to care for (McClain 2000; Folbre 2002). Other Western countries provide more public investment for children, thereby lessening the cost of raising children for families (Gornick & Meyers 2003). Making non-custodial parents (usually fathers) contribute money to support their children is an effort to reinforce the principle that *both* parents are financially responsible for children. In practice, however,

these payments are too small to adequately cover the cost of raising a child, and they are not paid regularly (Grall 2011). This reinscribes gender inequality in a more covert way; although women have seen gains in the labor market, their increased capacity for breadwinning makes it easier for fathers to slough the breadwinning responsibility onto mothers—in addition to the disproportionate care responsibility that mothers have traditionally had.

A final state justification for child support is to increase child wellbeing and reduce child poverty. As I argue in Chapter Three, this is possible—if the non-custodial father makes significantly more money than the custodial mother, and if he pays his child support regularly. Mincy and Sorenson (1998:47) document that this is not always the case; up to 33% of non-custodial fathers cannot pay child support without impoverishing themselves. Because child support institutionalizes parental economic responsibility for children, the upper limit of child wellbeing is set by the earnings capacities of children's parents. The potential of child support policy for reducing child poverty is thus limited in the same way. This lack of public support for childrearing also explains why the poverty rate for families with children is much higher in the U.S. than in other Western nations (Gornick & Meyers 2003:74-5). Under the second demographic transition in the U.S., there is increasing divergence between more- and less-educated mothers' fertility and marriage patterns, which leads to greater inequality between the children of the rich and the children of the poor (McLanahan 2004). Through its enforcement of the private economic responsibility of parents for children, child support reinforces existing class inequality.

The purpose of this economic sociological study was to examine the role of child support payments in separated families. Following Zelizer (1993), money is not the indiscriminately fungible medium it is often imagined to be. Rather, the meaning of money is shaped by the social relationships in which it is embedded. Despite the “hostile worlds” ideology that argues that financial considerations and the affectual sphere of the family are separate and incompatible, the family has always been penetrated by the economy (Zelizer 2011). In families where parents and children all live in one household, the separate economic interests of different family members are hidden, but divorce and separation throws these competing interests into stark relief. Child support payments provide a unique opportunity to examine the role of money in family relationships.

In this Thesis, I examined three major questions: how respondents earmark and spend child support, how child support shapes parenting identities, and how members of separated families perceive the fairness and adequacy of child support policy. Throughout the analysis, I have demonstrated the ways that gender and class inequality are reinforced through child support policy. Material hardship structures custodial parents’ ability to earmark their child support payments for marginal child-specific expenses. The specter of the child support queen helps custodial moms justify their own child support spending, but it also provides non-custodial dads with a reason to try to monitor the child support spending of their former partners. The child support queen also demonstrates the continued equation of motherhood with self-sacrifice. In contrast, disappointing dads are more commonly discussed than “deadbeat” dads, suggesting the growing emphasis on involved fathers rather than breadwinners. Unfortunately, the involvement imagined for

involved fathers is more similar to a visiting uncle than to an equally participating father (Edin & Nelson 2013). Finally, I examined the ramifications of that state child support policy for gender and class inequality. By promoting the interests of less powerful family members (mothers and children) over those of fathers, child support has the potential to reduce gender inequality. However, its poor enforcement records and relatively low award amounts do not fulfill this potential. Further, the disproportionate enforcement of child support payments against poor men, especially poor men of color, further subjects the most vulnerable non-custodial parents to the coercive power of the state.

Policy Suggestions

Above, I have examined the state interests that child support policy means to serve. Yet, policies often have unintended consequences as well, and sociologists are uniquely situated to uncover these outcomes. For instance, I have argued that child support policy reinscribes class inequality. I do not imagine this was the intentional outcome of devious policymakers. Unfortunately, the sociological knowledge that policy will have unintended consequences makes it a difficult task to suggest policy alternatives—these, too, may end up inadvertently harming the populations that they purport to help.⁷ It is with this knowledge/caveat that I offer policy suggestions.

Child support policy's emphasis on personal parental responsibility for children limits its capacity to alleviate child poverty and increase child wellbeing. Policymakers should recognize the tension between these two goals. Considering the U.S.'s especially high child poverty rate (Gornick & Meyers 2003), reforms to child support policy could

⁷ See, e.g., Parrenas (2011) for an example of the inadvertent consequences of human trafficking protections for Filipina migrant workers in Japan.

be designed to decrease child poverty. One policy that could help alleviate poverty is a child support assurance system. In this system, the government provides a minimum monthly child support payment to custodial parents and non-custodial parents reimburse the state (Garfinkel, Robins, Wong, & Meyer 1990). This amounts to a more collective responsibility for children without absolving non-custodial parents from their individual economic responsibility for their own children.

Mincy and Sorenson (1998) have estimated what percentage of nonpaying non-custodial parents could afford to pay and what percentage legitimately cannot afford to pay. Josephson (1997) and Curran and Abrams (2000) argue that child support payments are enforced unevenly against those who cannot afford to pay them, particularly those whose children receive public assistance. Enforcement efforts should increase towards those that can afford to pay. The loopholes that my respondents find in child support enforcement should be closed (see Chapter Three).

The question of how to keep poor non-custodial fathers responsible for their children is more complicated. If they are incapable of providing financially for their children because of low earnings potential, policymakers should consider alternative ways of involving dads. Low-income mothers face a dearth of affordable day care and often struggle to balance their work with their parenting responsibilities (Heymann 2006). At the same time, low-income fathers face significant barriers to employment. Instead of continuing to enforce an economic contribution that many fathers are unable to meet, policymakers could propose a substitution of time for money. A non-custodial father who provides childcare for his children on a regular basis (for example, while the children's

mother is at work) should have his child support obligation reduced in proportion to the time that he spends performing care labor for his children. This proposal can help fill the lack of childcare available for low-income women. At the same time, fathers can feel good about their ability to participate in their children's lives in a meaningful way.

Involving dads in childrearing from the very beginning is key to reducing the gendered burden of care on mothers. As I argued in Chapter Three, non-custodial dads believe that the state is biased against them because women are more frequently awarded custody of children. But, an equal *right* to children should follow from an equal *responsibility* for children. The right to physical custody of children could be tied explicitly to a father's participation in his child's life. For instance, dads can be encouraged to take parental leave to care for their children by knowing that this will give them the grounds to petition for custody in the event of divorce or separation. Fathers' Rights Activists argue in favor of equal access to children and the presumption of joint custody in the event of divorce or separation. If they are truly concerned with equality, they should endorse equal involvement in the daily caregiving tasks of children prior to separation. To allow fathers equal rights without requiring of them equal responsibility denigrates the caring labor that mothers do.

Directions for Future Research

This study pointed to the trope of the child support queen as a foil against which separated parents could judge themselves or their former partners. Quantitative data suggests that the belief in the child support queen may be widespread (see Chapter One). Research should investigate the prevalence of this trope and whether this stereotype

affects how custodial parents actually spend child support payments. For instance, does belief in the child support queen impel some poor mothers to put their child support payments aside for more “acceptable” expenditures, such as tuition, rather than spending them on imperatives such as rent or utilities? If so, how does this affect child wellbeing?

A broader question for future research concerns gender and spending. Why is it that the child support queen and the welfare queen are both women? Why do we mistrust the way that women spend to a greater extent than the way that men spend? Does this mistrust extend to childless women, or is it primarily for women with children?

Finally, research should look more into the counterfactual cases: mothers who pay child support and fathers who receive child support. I have two non-custodial mothers in this study and discuss briefly how gender and custodial status interact, but this merits more, systematic investigation, particularly for custodial fathers.

Conclusion

Because about half of all children today will spend some time living with only one parent (Lin & McLanahan 2007), child support policy affects the lives of more Americans today than ever. The rise of women in the workforce and the increasing age at first marriage mean that family life looks very different today than it has in the past. As we move forward, it is critical that we reexamine the ways that inequalities structure family life and children’s outcomes. In this Thesis, I have argued that child support policy reinforces class and gender inequality. Remedying this reification requires innovative ways at reorganizing family life. Taking on collective responsibility for children and involving fathers in the everyday care of children are two strategies for

improving this. In separated families, mothers take on the roles of both parents and assume a disproportionate responsibility for their children. Although this is one way of coping with marital instability and women's workforce participation, it is far from ideal. Parental responsibility should be extended equally to fathers as it is to mothers. Finally, the state should assist families in this responsibility because healthy, well-raised children benefit society at large.

TABLE 1: SAMPLE CHARACTERISTICS

| Status | Pseudonym | Gender | Age | Marital status | Race | Income | Highest degree | Source |
|-----------------------|------------------|---------------|------------|-----------------------------------|-------------|--------------------------------------|-----------------------------|---------------|
| Adult child (AC) | Carlton | M | 20 | Divorced | Latino | Parents: \$100,000 + | HS (working on BA) | UT |
| AC | Jordan | M | 22 | Separated (still legally married) | Latino | Mom: below \$30,000 | HS (working on BA) | UT |
| AC | Ivy | F | 19 | Divorced | Latina | Mom: \$50-75,000 Dad: \$30-50,000 | HS (working on BA) | UT |
| AC | Ashley | F | 20 | Never married | White | Mom, Dad: below \$30,000 | HS (working on BA) | UT |
| AC | Carla | F | 19 | Separated (still legally married) | Latina | Mom: below \$30,000 | HS (working on BA) | UT |
| AC | Krista | F | 23 | Never married | White | Mom: \$30-50,000, Dad: \$100,000 + | HS (working on Associate's) | ACC |
| Custodial Parent (CP) | Patti | F | 54 | Divorced | White | \$30-50,000 | Associate's | ACC |
| CP | Ana | F | 28 | Never married | Latina | \$30-50,000 | BA | Craigslist |
| CP | Miranda | F | 30 | Never married | Latina | Below \$30,000 | Trade certificate | Craigslist |
| CP | Julie | F | 42 | Divorced | White | \$50-75,000 | BA | Craigslist |
| CP | Doris | F | 56 | Divorced | White | Below \$30,000 | BA minus one credit | Craigslist |
| CP | Maya | F | 40 | Never married | Black | Below \$30,000 | Trade certificate | Craigslist |
| CP | Corrine | F | 34 | Separated (divorce pending) | White | \$30-50,000 | High school | Craigslist |

Table 1, continued

| Status | Pseudonym | Gender | Age | Marital status | Race | Income | Highest degree | Source |
|----------------------------|------------------|---------------|------------|-----------------------|-------------|----------------|------------------------------|---------------|
| Non-custodial Parent (NCP) | Keisha | F | 47 | Divorced | Black | \$30-50,000 | Trade certificate | ACC |
| NCP | Joe | M | 54 | Divorced | Black | \$75-100,000 | Associate's minus one credit | ACC |
| NCP | Earl | M | 32 | Divorced | Black | \$30-50,000 | BA | Craigslist |
| NCP | Leland | M | 39 | Divorced | White | \$30-50,000 | Some college | Craigslist |
| NCP | Antoine | M | 35 | Divorced | Black | \$30-50,000 | BA | Craigslist |
| NCP | April | F | 52 | Divorced | White | Below \$30,000 | Trade certificate | Craigslist |
| NCP | Rich | M | 41 | Divorced | Black | \$75-100,000 | BS | Craigslist |
| NCP | Felipe | M | 48 | Divorced | Filipino | \$30-50,000 | BS | Craigslist |

APPENDICES

Appendix A: Interview guides

INFORMED CONSENT:

Thank you for agreeing to participate in this research project. I'm working on my master's thesis in sociology. I am studying how money affects family relationships—specifically, how child support payments mediate relations between divorced/separated parents and their children. Because you have divorced or separated parents, I am interested in getting your perspective on this question. This interview focuses on three themes—the custody arrangements in your family, how your parents spent and discussed money, and your feelings about child support payments. Do you mind if I record this interview? All of your identifying information will be removed, the recording will be destroyed after transcription, and my professor will be the only other one to read the transcript. You don't have to answer any question that makes you feel uncomfortable, although I don't expect that you will find any of the questions upsetting. Your participation in this interview is completely voluntary and you may decide to end the interview at any time, for any reason. Finally, your decision whether or not to participate in this interview will in no way effect your relationship with the University of Texas.

ADULT CHILDREN

Arrangements

1. Can you describe the custody arrangement in your family?
2. How aware were you of child support payments paid from one parent to the other?
3. How did you become aware of this?
4. How did child support payments work in your family?
5. Did finances affect which parent you lived with?

How money used & talked about

6. How was money spent and discussed at each of your parents' houses?
How did your parents divide paying for your expenses (e.g., food, clothes, tuition)? Who paid for what?
7. How were child support payments spent?
8. Did [the payer of child support] ever ask you about how [the receiver of child support] was spending this money?
9. Was money ever a barrier to seeing your [non - custodial parent]? For example, were you ever kept from seeing your [non - custodial parent] because s/he missed a payment?

Feelings about child support

10. How did receiving child support payments make you feel?

11. How did you feel about the divorce/separation arrangements in your family? Were they fair?
12. If you could decide how child support should be organized, what would you change?
13. Is there anything that we haven't discussed that you think is relevant to understanding this topic?

CUSTODIAL PARENTS

Arrangements

1. Can you describe the child support payment arrangement between you and your former partner?
2. How do you feel about it?
3. How do you and your former partner divide the children's expenses?
What kinds of things does s/he pay for?
4. How do you spend the child support payments you receive?
5. Does your former partner ever ask you about how you spend child support payments?

Economic Situation

6. How has your economic situation changed since your divorce/separation?
7. Has the amount of child support you received changed over time? Has it increased or decreased?
8. Why did this amount change?
9. How do you feel about this change?
10. Has your former partner ever missed a payment? Can you tell me about it?
11. Does your former partner contribute financially to your household in any other way besides child support payments?
12. How has money affected your relationship with your former partner?

Organized Differently

13. Were the divorce/separation arrangements in your family fair?
14. If you could decide how child support should be organized, what would you change?
15. Is there anything else relevant to this subject that we have not discussed?

NON-CUSTODIAL PARENTS

Arrangements

1. Can you describe the child support payment arrangement between you and your former partner?
2. How do you feel about it? Is it fair?
3. How do you and your former partner divide the children's expenses?
What kinds of things do you pay for?
4. Aside from child support payments, are there any other ways that you support your children financially?
5. What types of expenses does your former partner use child support to pay for?

Economic Situation

6. How has your economic situation changed since your divorce/separation?
7. Have you ever missed a payment? Can you tell me about it?
8. Has the amount of child support you've paid changed over time? Has it increased or decreased?
9. Why did the amount change?
10. How did you feel about this change?
11. Has money ever come between you and your children?

Organized Differently

12. Were the divorce arrangements in your family fair?
13. If you could decide how child support should be organized, what would you change?
14. Is there anything else relevant to this subject that we have not discussed?

Appendix B. Craigslist Ad

Researcher at the University of Texas at Austin is currently recruiting individuals to participate in a study about how child support payments shape family relationships.

Participation will consist of one interview, expected to last approximately 45 minutes, and participants will be compensated with a \$10 Target gift card at the conclusion of their interview. Researcher will be conducting interviews in Austin throughout the month of July. Interviews will occur in a public setting (e.g. Borders Books, Starbucks, etc.) and will be arranged with the researchers once signed up for the study.

To be eligible for the study you must be a parent aged 18 or older who has paid or received child support payments. Those who have been ordered by a court to pay or receive child support but have not actually done so are also eligible. If you meet these requirements and are interested in participating, please respond to this post. Please indicate your current status as payer or recipient of child support.⁸

⁸ The wording for this ad was adopted from one written by Ellyn Arevalo-Steidl for her master's thesis. I am indebted to Ellyn for her help with this.

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